G–IV VISA RELIEF PROPOSALS

HEARING

BEFORE THE

SUBCOMMITTEE ON IMMIGRATION AND REFUGEE POLICY

OF THE

COMMITTEE ON THE JUDICIARY UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

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ON

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G-IV VISA RELIEF PROPOSALS

MONDAY, FEBRUARY 1, 1982

U.S. SENATE,
OF THE COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON IMMIGRATION AND REFUGEE POLICY
Washington, D.C.

The subcommittee met at 1:37 p.m., pursuant to notice, in room 2228 of the Dirksen Senate Office Building, Senator Alan K. Simpson (chairman of the subcommittee) presiding.

OPENING STATEMENT OF HON. ALAN K. SIMPSON, A U.S. SENATOR FROM THE STATE OF WYOMING, CHAIRMAN, SUBCOMMITTEE ON IMMIGRATION AND REFUGEE POLICY

Senator SIMPSON. I am sorry to be late. I apologize for that. It is nice to have you all here on the G-iv Visa Hearing. Under existing law we have this particular situation—I think all of you here are aware of it—where employees of certain international organizations and their families come to the United States on a type of nonimmigrant visa known as G-iv.

Such organizations include the United Nations, World Bank, International Monetary Fund, Organization of American States, and Inter-American Development Bank.

At the present time if such an employee dies or retires, the family is required to leave the United States and return to their native land, often on very short notice. In addition, adult sons and daughters must leave the United States when they have completed their education and have ceased being dependents of their parents. Frequently these family members have been out of touch with their home country for many years.

For children the law can be particularly harsh. If they have grown up and gone to school here, they tend to become Americanized and often cannot even speak the native language of their parents.

So my good colleague from Maryland, Mac Mathias, has attempted for several years to amend the law to provide relief for some of these people, which is typical of his interest and concern and compassion.

The hearing today will cover such issues as: Is the legislation needed? What specific provisions should it contain? Should it pertain to children and spouses and relatives? Would the special benefits be fair to other applicants for immigrant visas? We shall continue those things and other issues at this hearing. I look forward to it. We will now proceed.

The first panel consists of Ambassador Diego Asencio, the Assistant Secretary for Consular Affairs of the Department of State, and Alan Nelson, our Acting Commissioner of the Immigration and Naturalization Service of the Department of Justice, and soon—I hope within the next day or two—to be the Commissioner of the Immigration and Naturalization Service.

So, if you would please come to the witness table, I certainly look forward to having your testimony.

Ambassador, it is nice to see you today.

Ambassador ASENCIO. Delighted to see you.

STATEMENT OF AMBASSADOR DIEGO ASENCIO, ASSISTANT SECRETARY OF STATE FOR CONSULAR AFFAIRS, DEPARTMENT OF STATE

Ambassador ASENCIO. If you will permit me to submit my testimony and give a summary, I would ask that my informal remarks be considered supplementary to the prepared statement since I also add some material that was not present in the original statement.

Senator SIMPSON. Without objection.

Ambassador ASENCIO. Many international organizations have located their headquarters or missions in the United States. We have long considered this to be in our national interest. The international organizations have customarily met the major portion of their managerial and professional staffing needs through the recruitment of qualified aliens.

Many of these international civil servants spend a substantial portion of their working lives in these assignments in the United States. During their prolonged assignments here, these officers and employees and their families often become integrated into our society through involvement in social, civic, and cultural activities. In some cases their sons and daughters receive their total formal education in our schools and colleges.

I might refer also to the statement to be made by Richard Erb, U.S. Executive Director to the IMF, that gives a description of some of the institutions we are talking about and is generally a description of the problem the employees and family members of those institutions are facing.

It is not unusual for officers or employees of international organizations to remain on assignments in this country for periods of up to 20 years or longer. There is a much longer period to stay in the United States inherent in the career of officers and employees of international organizations. That is perceived by many to be disruptive of their lives and their attachment to their home country to the extent that legislation granting special immigrant status may be warranted.

The committee has asked us to comment on whether a special immigrant provision is fair to other applicants for immigrant visas. This is a judgmental question which has to be considered in relation to the benefits, direct or incidental, that we believe derive from our policies of family reunification and the immigration of professionals, scientists, artists, skilled workers under existing provisions of the INA.

This administration, as did the previous one, supports the principle of providing an opportunity for legal permanent resident status for the three categories of people we are discussing. We have no specific comment on the legislation under consideration at this time. The Department is sympathetic to the problem of individual G–iv's who because of special circumstances may truly find it a hardship to return to their native countries.

There have been a number of legislative proposals which would create an across-the-board entitlement to permanent residents based on G–iv status and a certain period of residence in the United States. Again, we have no particular opinion one way or the other on what would be the best approach to handle the problem, but we reiterate that we think the people in these categories are deserving of support.

Thank you, Mr. Chairman.

Senator SIMPSON. Thank you very much, Ambassador.

[The prepared statement of Ambassador Diego Asencio follows:]

Prepared Statement of Hon. Diego C. Asencio

Mr. Chairman, members of the Subcommittee, I am pleased to appear today to discuss special immigration benefits for the holders of G-4 visas -- the employees of certain international organizations and their families.

Many international organizations have located their headquarters or missions in the United States. We have long considered this to be in our national interest. The international organizations have customarily met the major portion of their managerial and professional staffing needs through the recruitment of qualified aliens. Many of these "international civil servants" spend a substantial portion of their working lives in these assignments in the United States. During their prolonged assignments here, these officers and employees and their families often become integrated into our society through involvement in social, civic, and cultural activities. In some cases, their sons and daughters receive their total formal education in our schools and colleges.

It is recognized that there is a difference between the period of stay in the United States of an officer or employee of an international organization and that of a career diplomat or consular officer assigned by his government to a post in the United States. The assignment of diplomatic and consular officers to the United States may vary considerably in length, but most last no more than five years. It is not unusual for officers and employees of international organizations to remain in assignments in this country for periods of up to twenty years or longer. It is the much longer periods of stay in the United States inherent in the careers of officers and employees of international organizations that is perceived by many to be disruptive of their lives and their attachment to their home country to the extent that legislation granting "special immigrant" status may be warranted.

In considering such legislation, the question arises as to what period of service in the United States constitutes a substantial period of the aliens life in terms of being disruptive of their ability to reenter life in their country of origin. The original source of concern on this issue was alien children who, because of their parent's employment, grew up, were educated and developed their social awareness in an American environment to the point that they found it extremely difficult to reenter life in their native societies. Supporters of such legislation have organized themselves in a group known as "the G-IV Children's Coalition". However, legislation submitted has always included benefits for the officers and employees of the International Organization and not just their children.

Officers and employees of International Organizations in the United States enjoy many benefits such as generous salaries and tax exempt status and certain limited forms of legal immunities as well as frequent home leave in their home countries. Given these conditions, it is difficult to argue that international civil servants, in general, suffer any hardship by being assigned to the United States -- even for extended periods of time. Nevertheless, there obviously can be individual instances where a long term assignment to the United States could result in a real problem of "expatriation". However, such individual circumstances could also be cited by many alien business people, journalists and students and other academics who also spend lengthy periods of their careers in the United States.

The Committee has asked us to comment on whether such a special immigrant provision is "fair" to other applicants for immigrant visas. This is a judgmental question which has to be considered in relation to the benefits, direct or incidental, that we believe derive from our policies of family reunification and the

immigration of professionals, scientists, artists and skilled workers under existing provisions of the Immigration and Nationality Act.

Through their employment with an international organization, these aliens will have gained a "head start" over other aliens desiring to live in the United States. However, their presence here, and especially that of their spouses and children, is not always based on simply their desire to be here but rather a perceived need for their skills or abilities. It could be said that in terms of "quality" or usefulness in American society, these aliens would probably be able to make an above average contribution to our society. It could also be said that having lived and worked in the United States, and participated in the life of this country throughout a significant portion of their lives, these aliens would have at least as much equity as a newly arriving family reunification or preference immigrant impelled by economic need.

Both arguments have merit and the Department is not in a position to definitively weigh these considerations and determine with which argument the greater merit or equity lies.

The Department is sympathetic to the problem of individual G-4s who because of special circumstances may truly find it a hardship to return to their native countries. There have been a number of legislative proposals which would create an across the board entitlement to permanent residence based on G-4 status and a certain period of residence in the United States. This may not be the most appropriate response to this problem. The existing law allows G-4's, along with other aliens, to adjust status on a case by case basis. Although the Department does not take a position on this issue I would be pleased to respond to any questions you may have.

Senator SIMPSON. I am going to refer to you as Commissioner Nelson. That will give you a sense of false security at this point. [Laughter.]

One more day, I am positive; perhaps two. And Lord, we need you and are waiting with bated breath. So please proceed, if you will.

STATEMENT OF ALAN C. NELSON, ACTING COMMISSIONER, IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

Mr. NELSON. Thank you, Mr. Chairman. Thank you for your confidence. I am sure your prediction will come true, and I do appreciate your interest in my confirmation as well as the subject matter that we have spent so much time on.

I am pleased also to join the Ambassador to testify on behalf of the administration on the subject of possible immigration benefits to employees of certain international organizations and their families who are admitted to the United States in the G-iv nonimmigrant classification.

Likewise I would like to submit for the record our prepared printed testimony, and I would just briefly summarize.

We estimate there are approximately 11,000 G-iv aliens in the United States employed by all international organizations, and of course the issue here is whether special legislation to grant immigration benefits to this group of aliens is necessary. The information that we have available is that the majority of the G-iv's do remain in the United States for relatively short periods, after which they return to their home countries. However, there are, as the Ambassador has indicated, a number of others that spend many years in the United States and often end their employment by retirement in this country and, as has been indicated, have been fully integrated into our society.

If Congress should adopt such special benefits, there are certain specific provisions the legislation should contain. The benefits should be extended to those G-iv aliens who have met certain minimum periods of stay, such as the principal G-iv alien should have been in the United States a minimum of 15 years immediately preceding the retirement, a 10-year period, roughly, for the widow or widower, and certain other periods as set forth in the proposed legislation for unmarried children.

A question, of course, to be considered is whether the special benefits would be fair to other applicants for immigrant visas. Of course, many other aliens are required to wait lengthy periods of time for a visa, and certainly in our opinion any congressional action creating this type of benefit for the G-iv's should establish a special immigrant class outside the existing preference system.

Certainly a factor to be considered is that the United States has encouraged international organizations to maintain their headquarters or a good part of their operations in the United States, and this would be a factor, certainly, for the Congress to consider.

There are a number of factors on this, but we have set forth some that would recommend sympathetic considerations to the request that G-iv families receive special immigration benefits, and

these need to be balanced along with the goals of granting immigrant status through the preference system which Congress has established, and I would concur with the statement that Ambassador Asencio indicated as to the administration posture on this matter.

Thank you, Mr. Chairman. Those are my remarks.

[The prepared statement of Alan C. Nelson follows:]

Prepared Statement of Alan C. Nelson

Mr. Chairman and Members of the Subcommittee:

I am glad to be with you and to present testimony on the subject of possible immigration benefits to employees of certain international organizations and their families who are admitted to the United States in the G-4 nonimmigrant classification.

Aliens are admitted to the United States as G-4's under section 101 (a)(15)(G)(iv) of the Immigration and Nationality Act to serve as officers or employees of international organizations in which the United States holds membership. The families of such officers and employees are given the same classification. Unlike several of the nonimmigrant classifications, G-4 aliens are not required to have a foreign residence which they have no intention of abandoning, and they are admitted without time limit as long as they maintain their G-4 status. It is estimated that there are slightly more than 11,000 G-4 aliens in the United States employed by all international organizations.

It has been asked whether special legislation to grant immigration benefits to this group of aliens is necessary. This is a national policy issue which must be decided by the Members of Congress. Certain circumstances do develop as a result of some of the G-4's often lengthy presence in the United States that present reasons for such legislation.

The majority of the G-4's remain in the United States for relatively short periods of time after which they return to their home countries or to employment in other member countries. Others, however, because of the policies of their employing organizations, spend many years in the United States and may even end their employment by retirement in this country. Because of the many years some of the G-4's work and reside in the United States, they and their families become integrated into our society and form close social, civic, and cultural attachments.

This is particularly true of their children who may spend most or all of their school years in the United States. Their integration into United States society may often be accompanied by a corresponding loss of attachment to their home lands. These circumstances provide an argument for the granting of special immigration benefits to certain members of their group.

If Congress should adopt such special benefits, there are certain specific provisions the legislation should contain. Since the length of presence in the United States is the primary reason for the compelling circumstances that develop in these cases, benefits could be extended to those G-4 aliens and their families who have certain minimum periods of stay in the United States. The current legislative proposal states that the principal G-4 alien who retires while in the United States should have a minimum of 15 years presence immediately preceeding retirement. The surviving widow or widower of a principal G-4, should have 10 years presence. Unmarried children would qualify if they were under the age of 26 and had lived in the United States for aggregate periods of either 7 years (between 5 and 21), or 10 years (between birth and 25).

The additional question has been posed as to whether such special benefits would be fair to other applicants for immigrant visas.

Due to the world-wide and country limitations on the number of visas which may be issed to aliens under the preference allocation system, many aliens are required to wait lengthy periods of time for a visa after they qualify for a given preference. This is true for both the relative preferences and for the preferences allocated to professionals or skilled and unskilled workers. In some preferences in certain countries, an alien must have qualified for a preference more than 11 years ago in order to be eligible for the issuance of a visa today. If, in granting special benefits to a specific group of aliens, the

number of viasa available to other eligible aliens was reduced, this situation would be worsened. In light of this, any congressional action creating this benefit should establish a special immigrant class outside the preference system.

Some other nonimmigrants also remain in this country for lengthy periods of time. These include treaty traders and investors and representatives of foreign information media. They and their families also develop attachments to the United States and some might wish similar benefits. However, actual returns to homelands and opportunities for similar employment there are greater for persons in these other categories.

An additional factor relating to G-4 aliens should be considered. The United States has encouraged international organizations to maintain their headquarters or at least large portions of their operations in the United States. The G-4 officers and employees may have little choice in their assignments in the United States and, in the interest of continuity, it may be found necessary by the organization to retain certain officers and employees for extended periods of time or even for their entire working life in the United States. Because the officer, employee, and his family may have little or no control over where they work and live, it may be unfair not to allow them to live the rest of their lives in this country after years of honorable service and residence.

I have indicated a number of factors that recommend sympathetic consideration to the request that G-4 families receive special immigration benefits. However, these must be evaluated along with the goals of granting immigrant status through the preference system which Congress has established to allocate immigrant visas in an equitable fashion. Even though the group is small, the proposed legislation would add another group to special immigrant classes exempt from the numerical limitation.

I will be happy to answer any questions you may have.

Senator SIMPSON. Thank you both very much. I do have some questions.

Ambassador, your testimony and, I think, your written remarks, which I reviewed last evening, are a good comprehensive review, but your testimony does not seem to contain support for the idea of providing any special immigration benefits to certain holders of the G–iv visa.

You state that "there have been a number of legislative proposals which would create an across-the-board entitlement to permanent residents based upon G–iv status and a certain period of residence. This may not be the most appropriate response to this program.

Does the State Department have a position on this issue? Should such special benefits be provided?

Ambassador ASENCIO. Mr. Chairman, we do not have a specific position with regard to that. As I say, I reiterate that we agree in principle that something is required here. We do not have a specific position with regard to what it should be.

Senator SIMPSON. As far as special immigration benefits, we know how many of those we have provided in the past are causing us some confusion as we deal with different definitions of persons, especially over the last few years.

I am just wondering about special benefits. If that is your response, that is fair enough, I will leave it at that.

You state that the difference between the employees of international organizations and career diplomats or consular officers assigned here is that the former stay longer in the United States. If that were the only difference, why, then, should not those other aliens also be covered so that if particular career diplomats or consular officers remained in the United States for longer than usual, long enough, in fact, to satisfy the residence requirements, then why should not they qualify for special immigration benefits?

Do you have any thought on that?

Ambassador ASENCIO. Being a foreign service officer and being a bit of a gypsy myself, I am not sure that diplomats in general should be equated with the employees of an international organization. In effect, you have a different mind set as a diplomat.

I, for instance, find that after I have served in any particular society or community for 3 to 4 years, I start getting itchy and looking for someplace else to go, and I would suspect that that is the standard lifestyle for a diplomat. So I do not think it would be at all correct to have a special provision of the law just in the event someone is an aberrational part of that sort of picture. So I do not think you can compare. You are talking about apples and oranges, Mr. Chairman.

Senator SIMPSON. In your testimony as I reviewed it, it seemed to me that you are more sympathetic toward G–iv children.

Ambassador ASENCIO. Oh, absolutely, absolutely.

Senator SIMPSON. Do you believe, then, that any relief legislation should be directed only to those in that category, children?

Ambassador ASENCIO. I am especially sympathetic toward the children. I do consider, though, that in principle their families should also be considered in terms of legislation. But this did start

with, as I recall, the G-iv children, and there is something about them that strikes a responsive chord.

Senator SIMPSON. We have many terms like that in these chambers that are always defined to strike that responsive chord. I was interested in reviewing the history of this legislation that that is exactly what we did start with, doing something for children. Since then we have broadened this considerably. I hope we can focus——

Ambassador ASENCIO. I might say that my special sympathy also extends, for instance, in those areas where we are talking about widows.

Senator SIMPSON. Very much so. That was another part of the original intent of the legislation, yes.

Ambassador ASENCIO. And I would say again, as a matter of principle, certainly from the standpoint of weight of preference, I still think that a third category, the employees themselves, should be the subject of consideration, and certainly children and widows are an important part of what we are discussing.

Senator SIMPSON. You state, too, that the existing law allows G-ivs, along with other aliens, to adjust their status on a case-by-case basis. Are you there referring to the regular preference system? It is my understanding that most G-iv visa holders can only qualify for the nonpreference category, for which no visa numbers, of course, have recently been available.

Ambassador Asencio. What we were referring to there, Mr. Chairman, is in those cases where the G-iv visa holder cannot return to his home society for any number of reasons, either political or otherwise.

Senator SIMPSON. I thank you.

Mr. Nelson, in your testimony you present an estimate that there are slightly more than 11,000 G-iv aliens in the United States. You also state that the majority of the G-ivs remain in the United States for relatively short periods of time. What percentage of the 11,000 do you estimate will leave the United States before they have been here 5 years or 10 years, 15 or 20 years? Could you give us an idea on that, please?

Mr. NELSON. Mr. Chairman, I do not know if we have a breakdown of that, of the 11,000. I can just tell you it looks like about 5,000 United Nations, 3,500 World Bank, 900 International Monetary Fund, and about 1,700 in all the other categories. I do not presently have any breakdown to specifically answer your question as to the length of likely stay, although I think we have indicated, again, and maybe this really answers it, there may be some 300 or so principals and dependents who would benefit in the first year of such a law.

So that would tend to indicate fairly small numbers to start out. What the ongoing trend would be, we do not have those figures yet.

Senator SIMPSON. That is an interesting breakdown there. In your estimate, then, of the 11,000, does that refer only to the employees themselves or also to their family members? How is that broken down?

Mr. NELSON. I think that is the employees themselves, the 11,000.

Senator SIMPSON. That is the employees themselves.

Mr. NELSON. That is my understanding.

Senator SIMPSON. Thank you.

Perhaps Mr. Cutler and Mr. McNamara can provide information about what we are talking about in terms of family members.

Do you believe that a 10-year presence in the United States before the age of 26 should be enough to qualify a G–iv son or daughter for special immigrant status? By that I would mean that someone would qualify who spent preschool and posthigh school years in the United States but who was educated for most of all of his or her precollege years abroad. Is the adjustment of such an individual likely to be that difficult if he were required to return to his homeland?

Mr. NELSON. Well, Mr. Chairman, I am sure that is a difficult sociological question to answer completely on a broad basis. Like so many aspects of the immigration law, it is a balancing process that we must go through. You obviously cannot make it so easy for people to just automatically stay, or on the other hand make it so difficult that it creates real problems. I think, therefore, those year-type of provisions that are set forth at least try to restore or to obtain the type of balance that would be the most equitable under all circumstances.

I really could not answer the difficulty of returning home. I am sure in some cases it could be a real problem.

Senator SIMPSON. What if in the case of each G–iv visa holder who actually adjusts to permanent resident status, the annual ceiling and the per country ceiling for that visa holder's country of origin would both have to be reduced by one? Would you still support legislation in that area if we found that reduction to be appropriate on the per country and annual ceilings?

Mr. NELSON. Again, I guess my off-hand reaction, and frankly, this has not been a matter that we have probably analyzed specifically in a policy area, but I would think that could be a possibility if the Congress decided to go that route. Certainly I do not think the administration would have any opposition to that, although I do not think we suggested it being done that way.

Senator SIMPSON. Yes, you never have. I am just putting that before the subcommittee.

You indicate, too, in your testimony that certain other categories of nonimmigrants remain in this country for lengthy periods of time and that they and their families also develop attachments to the United States. However, you state, too, that actual returns to homelands and opportunities for similar employment there are greater for persons in these other categories.

Could you explain to the subcommittee in just a bit more detail why some of those other nonimmigrants do not need any kind of similar relief provisions?

Mr. NELSON. Again, as Ambassador Asencio indicated relating to the consular types, I suppose one aspect—and possibly Mr. McNamara and Mr. Cutler could elaborate more from their knowledge and background—but I think for the international organizations that many of them are here largely because we have encouraged them to be here, and maybe the length of stay might be more part of the job than possibly some of the private types. I would think that would be a factor to be considered and possibly a distinguishing factor.

Senator SIMPSON. I appreciate those responses. They will be helpful to us. I really do not have any more questions at this time of you two gentlemen.

Let us rather accelerate the agenda. Senator Mathias, when he arrives here, will interrupt on the other panel, but I think I will now go forward with the panel of Mr. Stevenson and Ms. Schmedtje. How am I doing, pretty close? [Laughter.]

And Mrs. Kaija Juusela. Was that good?

Mrs. JUUSELA. Pretty good.

Senator SIMPSON. It sounded good to me. I was glad to get that. [Laughter.]

Oh, yes, and Mr. Lin, too.

Thank you very much, Ambassador and Commissioner. It is very helpful indeed.

So even though the time does not disclose that this is your opportunity, it is. So if you would come forward, and then please understand that when Senator Mathias comes, we will interrupt and have his testimony.

This panel consists of Mr. John L. Stevenson, president of the G-iv Children's Coalition, of Kensington, Maryland, and Ms. Ingrid Schmedtje, a G-iv child, of Charlottesville, Virginia, and Mr. Sam Lin, G-iv child of Bethesda, Maryland, and Mrs. Kaija Juusela, G-iv widow and staff member. We would just pleased proceed in that same order, if you will, please.

Mr. Stevenson.

STATEMENT OF JOHN L. STEVENSON, PRESIDENT, G-IV CHILDREN'S COALITION, KENSINGTON, MD.

Mr. STEVENSON. Thank you, Mr. Chairman.

All the members of the panel have submitted prepared written statements for the record, and we would only like to present a summary of those here, if that is acceptable.

Senator SIMPSON. Yes, without objection.

Mr. STEVENSON. Mr. Chairman, I should like first to express my appreciation for the opportunity of appearing before you today. My name is John Stevenson and I am president of the G-iv Children's Coalition.

On behalf of the Coalition I urge your support of S. 1998, the G-iv bill submitted recently by Senator Mathias.

The G-iv Children's Coalition draws support from American and non-American employees of all major international organizations with headquarters here in the United States. It is a volunteer association of concerned families seeking to alleviate distress experienced by the dependents of non-American staff members of these institutions as a result of their G-iv nonimmigrant visa status.

Employees of the international organizations usually spend most of their professional lives here in this country. When recruited from abroad, these employees arrive with the highest hopes of contributing to betterment of the world community through political, financial, and technological expertise. For their families, the United States is a challenging and rewarding country in which to live and be educated.

CHILDREN

Their children in particular very quickly begin to think of themselves as American. They very rapidly lose contact with their native language and the social influences of their homeland. The distinct American social culture becomes the culture of the children involved, ingrained on them irresistably and permanently in their most formative years.

Currently these Americanized children have great difficulty remaining in the United States when they finish their education. It is almost impossible for them to obtain permanent immigrant status on their own. There is often a record of high academic quality already in hand, but, however, a degree which is not recognized or wrongly specialized for use in the child's homeland.

I am sure you will realize what great distress can then follow. Families are divided geographically. Mature children are forced into a painful and often demoralizing readaptation in the country whose passport they hold. Some children find the readjustment insurmountable. Usually the separation itself comes at a time when the international organization employee is reaching the high point of his career, creating terrible conflicts.

Furthermore, the United States at this point loses contact with and loses the potential services of talented, well-educated, vocationally trained and highly integrated young people. You will hear shortly from two G-iv children who have experienced the problems to which I have referred. The enactment into law of S. 1998 would serve to remove their difficulties.

RETIREES

The second category covered by S. 1998 is retired staff members and members of their immediate family. Until recently, such persons could gain permanent resident visas as nonpreference immigrants. Many people who have planned a retirement here and whose ties with their native country have been gradually dissolved over many years have been caused much anguish by recent elimination of this possibility.

Currently, at best a fundamental insecurity exists within these families. At worst, the family will become divided. The proposed legislation would help remedy the problems these people face and grant a major security to many G-iv families who now simply face division after long periods of residence here.

The retired international civil servants themselves would not be a burden on the United States since their retirement benefits are fully adequate and certainly preclude any necessity for further gainful employment.

SURVIVING SPOUSES

Finally, the S. 1998 bill contains a provision whereby a spouse and children of a long term international organization employee may be permitted to stay in the United States if he or she is widowed during the family's residence here. This very unfortunate circumstance inflicts the harshest of difficulties, as you will hear shortly.

Currently the regulations require that a widow and dependent children of the deceased G–iv employee leave the United States. Proper settlement of the family's future is impossible under such circumstances and schooling is totally dislocated for all children in the family simultaneously. Friendships are smothered at a time when they would be of greatest value.

[Examples of hardship by G–iv visa holders are incorporated into the appendix of the hearing record. They can be found on page 91.]

Mr. STEVENSON. Mr. Chairman, the international organization families whom I represent today live within the jurisdiction of the United States. They are keen participants in the society which hosts them. The knowledge that an ultimate consequence of one's life here may be family division, dislocation, and totally disillusioned children is a bitter and disheartening prospect. Again I urge your earnest support of S. 1998.

I shall be glad to answer any questions you may have at the conclusion of this panel.

Senator SIMPSON. Thank you very much. That was very effective testimony.

[The prepared statement of John L. Stevenson follows:]

Prepared Statement of John L. Stevenson

Mr. Chairman, Members of the Sub-Committee, I should like first to express my appreciation for the opportunity of appearing before you today. My name is John L. Stevenson and I am President of the G-IV Children's Coalition. On behalf of the Coalition I urge your support of S.1998 ("the G-IV Bill").

The G-IV Children's Coalition draws support from American and non-American employees of all major International Organizations with headquarters here in the United States, including the International Bank for Reconstruction and Development, the International Monetary Fund, the Organization of American States, the United Nations, the Inter-American Development Bank, the International Telecommunications Satellite Organization, the International Finance Corporation and the Inter-American Defense Board. It is essentially a voluntary association of concerned families, seeking to alleviate difficulties faced by the dependents of non-American staff members of these institutions. By far the most distressing difficulty experienced by the staff members and their families occurs as a result of their G-IV (non-immigrant) visa status.

Unlike diplomatic personnel, who are frequently rotated from one post to another, employees of the International Organizations usually spend most of their professional life here in this country. When recruited from abroad, these employees arrive with the highest hopes of contributing to betterment of the world community, through political, financial and technological expertise.

For their families, the United States is a challenging and rewarding country in which to live and be educated. The children in particular very soon begin to think of themselves as American, very rapidly losing contact with their native language and the social influences of their homeland. The distinct American social culture becomes the culture of the children involved, ingrained on them irresistibly and permanently in their most formative years.

Currently, these "Americanized" children have great difficulty remaining in the United States beyond the point at which they cease to be dependent on their parents, when their G-IV visa status terminates. It is almost impossible for them to obtain permanent immigrant status on their own. There is often a record of high academic quality already in hand -- but, however, an academic qualification which is not recognized, or wrongly specialized, for use in the child's "homeland." I am sure you will realize what great distress can follow. Families are divided geographically. Mature children are forced into a painful and often demoralizing readaptation in the country whose passport they hold. In some cases, children are even denied tourist visas to visit the parents. Usually separation comes at a time when the International Organization employee is reaching the high-point of his career, creating terrible conflicts. Furthermore, the United States at this point loses contact with, and loses the potential services of, talented, well-educated, vocationally trained and highly integrated young people.

Some children find the readjustment required on return to their native land insurmountable. Others cannot

face reassimilation. Instead they remain as dependents here in the United States, without meaningful career opportunities and often extending their formal education as a non-productive, time-killing exercise.

Many G-IV children who either face, or may yet face, the problems I have detailed are here today. You will hear shortly from Ingrid Schmedtje and Sam C. Lin, two G-IV children who have resided in the United States for twenty and fifteen years respectively and whose present circumstances illustrate the harsh dilemma which I have outlined. Numerous other children face similar problems.

The enactment into law of S.1998 would serve to ease the problems and distress to which I have referred. It would permit children in the G-IV visa category who have resided here for a minimum of seven years at school age, or for ten years before reaching the age of twenty-six, to opt -- if they so wish -- for permanent resident status.

The second category covered by S.1998 is retired staff members, and members of their immediate family. Until recently, it was relatively easy for such persons to obtain permanent resident visas as non-preference immigrants. Since January 1, 1979, no non-preference visas have been granted. As a result, many people who had planned a retirement here, and whose ties with their native country had been gradually dissolved over many years, have been caused much anguish. At best, a fundamental insecurity exists within the family. At worst, the family will become divided. Specific examples which I can quote are as follows:

(i) A Turkish national, with twenty-six years of service at the World Bank. He and his wife wish to retire here in order to retain ties with their daughter, who independently holds a G-IV visa as an employee of the International Monetary Fund. His family has already been divided once -- a younger son having returned to Turkey in 1974, after some twenty years residence here in the U.S. The difficulty of resettling in Turkey, at age 64, having there no friends, no home and with the severance of all bonds into the American community: this cannot be underestimated.

(ii) An Argentinian national and an employee of the OAS since 1953, who originally entered the U.S. with a resident (immigrant) visa status. This woman is now 62 years old. She surrendered her resident visa for G-IV status during OAS service in order to comply with the OAS' policy for professional employees. She has not been to Argentina in the last ten years and maintains no links with her country of origin. The United States has become an adopted homeland in very nearly thirty years of residence.

The proposed legislation would help remedy these and similar problems. S.1998 would enable the parents of G-IV children to remain in the United States beyond retirement of the employee from long-term service with the International Organization. This will permit unification of the full family, should it be desired. Additionally, long-term residents without dependent children also qualify in this category. Such retired international civil servants would not be a burden on

the U.S. since the retirement benefits they derive from the International Organizations are fully adequate.

Finally, the S.1998 Bill contains a provision whereby a spouse and children of a long-term International Organization employee may be permitted to stay in the United States if he or she is widowed during the family's residence here. This very unfortunate circumstance inflicts the harshest of difficulties. Currently, the regulations require that a widow and dependent children of the deceased G-IV employee leave the United States. Proper settlement of the family's future is impossible under such circumstances. Schooling is totally dislocated for all children in the family simultaneously. Friendships are smothered at a time when they would be of greatest value. These consequences of the current procedures will be addressed shortly by Mrs. Kaija Juusela, a G-IV widow, and by Mr. Davidson Sommers.

Mr. Chairman, the International Organization families whom I represent today live within the jurisdiction of the United States. They are keen participants in the society which hosts them. The knowledge that an ultimate consequence of one's life here may be family division, dislocation and totally disillusioned children is a bitter and disheartening prospect.

In conclusion, I should like to add that many other countries which act as hosts for the various international organizations, the United Nations and its associated agencies, do offer the privilege of extended permanent residence to international officials and their families. The enactment of S.1998 would represent then a matching expression of the liberal and humanitarian traditions fundamental to this country. Again, I urge your support of this measure.

Senator SIMPSON. And now, please, Ms. Schmedtje.

STATEMENT OF INGRID SCHMEDTJE, G-IV CHILD, CHARLOTTESVILLE, VA.

Ms. SCHMEDTJE. Thank you, Mr. Chairman.

My name is Ingrid Schmedtje. My family resides in Bethesda, Md. I am currently a senior at the University of Virginia, where I am a pre-med student. My father is an economist with the World Bank on a G-iv visa. My mother, my grandmother, and I also hold G-iv visas.

I have two sisters. My younger sister, Karin, is 16 years old, and was born in the United States. My older sister is 24 years old, and now lives in West Germany. I was born in Geneva, Switzerland, and came to the United States 21 years ago, at the age of 15 months. I hold West German citizenship on the basis of my parents' nationality, although I have lived there for only 1 year while my father was on sabbatical leave.

CHILDREN

Unlike many G-iv children, I have been raised bilingually. From first grade on, I attended the German school at Potomac, Md., where all classes are taught in German. I graduated in 1978 with both a high school diploma and a German abitur.

While in high school, I became very interested in medicine as a career. My interest was reinforced by volunteer work at Sibley Memorial Hospital and as an emergency room assistant at Childrens Hospital. I enrolled in a pre-med curriculum at the University of Virginia, and am now awaiting decisions on my pending applications at American medical schools.

While at college, I have continued to work as a volunteer emergency medical technician during summers and weekends with the Bethesda-Chevy Chase Rescue Squad, the only totally privately supported, nonprofit emergency ambulance service in the United States. This year I won an award for being among the top 10 fundraisers in the organization.

The process of applying to medical school is very trying for anyone who goes through it, but my G-iv status has added an extra dimension of anxiety. My lack of a permanent resident visa or United States citizenship has severely limited the number of medical schools to which I can apply. Many State schools, for example, will not consider persons who hold only temporary visas.

If I am not admitted to medical school, my choices will be very limited and very unsatisfactory. To retain my G-iv visa, I must continue to reside with my parents, and will be able to work only if I find an employer willing to submit the necessary paperwork and am able to obtain the approval of the Department of State and INS. I could enroll in another kind of graduate school or continue to work as a volunteer. I view these possibilities as postponing the attainment of adulthood and independence.

I could also move to West Germany, but even if I were to be admitted to medical school there, which is highly uncertain, I would get virtually no credit for my 4 years at the University of Virginia, and would be treated just as if I had recently graduated from high

school. I could seek work in Germany, but the German educational and apprenticeship system is so different from that of the United States that I would have great difficulties finding meaningful work.

And apart from these career-related issues, I know I could expect to encounter very serious adjustment problems, as did my older sister when she moved there 6 years ago.

In short, at the moment, I belong nowhere and essentially have no control over what happens to me, and I am one of the lucky ones. If I somehow can find a way to stay here for the next 5 years, my younger sister may be able to sponsor me as a fifth preference immigrant.

I have now lived in the United States for 20 years. Despite the efforts of my family to expose me to both German and American language and culture, I now find myself to be highly Americanized. Americanization, to me, goes beyond language, education, culture, social habits, and the like. The key, I think, is the openness of American society and our people's dedication to public service and to helping those less fortunate than ourselves. I have been brought up with these values: to serve other people, to contribute my skills to the well-being of others, and to do so in the spirit of volunteerism and cooperation.

This country has granted me countless opportunities, and has formed my attitudes and beliefs. I am a very different person from the person I would have been had I been brought up in West Germany or elsewhere. My life here has instilled in me a sense of pride and the wish to give of my time and enthusiasm to help better my community. This is where I belong, and this is where I would like to continue to develop and invest my personal resources.

It is frustrating indeed to know that I belong here, yet am unable to control my own future. The G-iv bill will help me and countless others like me to realize our dreams of becoming Americans as well as Americanized.

Thank you very much for giving me the opportunity to appear before you today. I would be happy to try and answer any questions you may have.

Senator SIMPSON. Thank you very much. I appreciate having that testimony.

Mr. Lin, please.

STATEMENT OF SAM LIN, G-IV CHILD, BETHESDA, MD.

Mr. LIN. Thank you, Mr. Chairman.

My name is Sam Lin. I reside in Bethesda, Md., where I am a senior at Walt Whitman High School. My father is an economist with the International Monetary Fund on a G-iv visa.

Senator SIMPSON. Mr. Lin, would you mind pulling that microphone over a little bit closer to you there, if you would? Thank you.

Mr. LIN. My mother and my two older brothers and I are here on G-iv visas deriving from my father's employment status with an international organization.

I have lived in the United States for 15¼ of my 18 years. I remember nothing of my early life in Taiwan, where my family is from, although I have been back several times for short visits with relatives. I speak some Taiwanese, the everyday language of the

Taiwanese people, but I am not fluent. I cannot speak, read, or write Mandarin Chinese, the official language of Taiwan.

My brothers, who are 20 and 23 years old, are in a similar situation. It would take many years of intensive study to learn enough Mandarin to function effectively. My oldest brother remains functionally illiterate in Mandarin despite having studied it in college.

CHILDREN

My brothers and I are typical G–iv children in many ways. We all have been educated in American schools, and attend or in my case will soon attend American colleges. Each of us was a semifinalist for the National Merit Scholarships which are awarded each year to top American high school students. We were not, however, eligible for the financial awards that go to finalists, because we are not citizens of the United States.

Each of us has career interests that we intend to pursue. My brother, Ben, a senior at Haverford College, will enter graduate school next year to study city planning and regional economic development. My middle brother, Jan, a junior at Williams College, is spending his junior year abroad at University College in London, and is a journalism and anthropology major. I plan to study engineering. Yet, under our nonimmigrant visas, currently none of us has any real hope of being able to pursue these careers in the United States unless the G–iv bill is enacted.

Although each of these careers could theoretically be pursued in our native Taiwan, none of us believes that that is realistic. We do not speak, read, or write the language used in professional life there, and our training will have been geared to the American job market. We have no friends or contacts in Taiwan other than family we hardly know. If we were forced to return to Taiwan in order to pursue these careers, we would go there as foreigners.

My brothers and I have grown up in America, and America is the only home we know. Despite our uncertain status, we are fully assimilated into American society. We share American ideals and values. Our friends view us as Americans. Many do not even know of our uncertain situation. We want to remain here and contribute our skills and talents to the only society we know. In this, we are typical of many G–iv children who have resided here since childhood and have been brought up to love America and know little of their home country.

SURVIVING SPOUSE

The need for this legislation may seem more pressing for my brothers than for me. I have 4 years of college plus graduate school ahead of me, while they are closer to beginning an independent life. But I do not find this very comforting. For, like other G–iv families, my family could be required to leave the United States almost immediately if my father were to die. This is not a hypothetical issue. It has happened to other families, and last summer, when my father was very ill and could not work for 3 months, we feared it was about to happen to us.

The trauma of his illness was made worse for us by the knowledge that our future lives here in the United States hang on the thread of my father's survival.

In closing, I want to express again my appreciation for the opportunity to be here today and to tell you something of my situation. The legislation that you are considering today is of vital importance to people like me, and I hope you will quickly enact it into law so that our status can be regularized.

Thank you very much. I would be happy to answer any questions you may have.

Senator SIMPSON. Thank you very much for your impressive testimony.

Now, please, Mrs. Kaija Juusela.

STATEMENT OF KAIJA JUUSELA, G–IV WIDOW AND STAFF MEMBER

Mrs. JUUSELA. Mr. Chairman, I would thank you for permitting me to testify before you today. My name is Kaija Juusela. I am a citizen of Finland, but I have resided in the United States on a G–iv visa for 25 years. For 23 years, my visa derived from my late husband's status as an economist with the International Monetary Fund. I am now on my own G–iv visa, being employed by the fund in the staff relations office, but face the prospect of having to deal with the problem once again when I retire.

I have two children, a 27-year-old son, now married to an American citizen, and a daughter, age 28, who is enrolled at the University of Maryland and is my G–iv dependent. As this brief summary indicates, I have experienced the problems of a G–iv visa holder from several perspectives.

My husband and I came to the United States in 1957 with our two children, who were then ages 2 and 3. My own field is music, and I sang professionally for many years. When my children were older, the State Department's Foreign Service Institute asked me to teach Finnish language and culture to Foreign Service officers of the United States. I worked part-time for several years, and assumed a full-time position there in 1976.

SURVIVING SPOUSES

My husband died suddenly in 1980. I was out of the United States at the time. When I returned, I was told that my G–iv visa was no longer valid. After several hours at the airport, I was granted temporary permission to stay to settle my husband's affairs. I eventually obtained a visitor's visa, and then had to decide what to do next.

I enjoyed my job at the Foreign Service Institute, but with a visitor's visa only, I was not authorized to work in that job. I did explore whether the State Department could sponsor me, but they are not permitted to do so. Eventually I applied for a job in personnel at the Fund, an entirely new field of work for me. I was accepted, and I thus was able to remain.

After living in the United States for 25 years, I dread the possibility of having to go through all of this again in 13 years, when I will have to retire. By then I will have lived here for 38 years. I

have few contacts in Finland today, and very little opportunity to fit into their limited job market. Consequently, the prospect of returning there to live is not very appealing.

My daughter, who will complete her studies this year, faces more immediate problems.

Having experienced the G-iv problem from so many different perspectives, I would like to comment briefly on why I feel so strongly about the need for this legislation. Being widowed at a relatively young age and very suddenly was a great shock, and the past 18 months have been difficult ones. I was fortunate to have had substantial work experience, and to be qualified for a position at the Fund. Not all G-iv widows are so lucky. Many have never worked outside the home, and cannot fit into the job market either here or in their home countries. What are they to do? Their friends are here. Their lives are here. And they really know no other place any more. Under current policies, they face the prospect of relocating at a time of great emotional upset.

The children, too, face great difficulties, as you have already heard the others testify.

Finally, the impact on the staff members themselves cannot be ignored. My husband suffered greatly because of the problems his status caused our children. I know many families who have given up their careers here because the potential problems were too great. The current situation takes its toll on all of us.

I recognize that the United States cannot take in everyone who wishes to live here, and that it must set limits and priorities, but we who have been here for so many years believe that the current situation is very inequitable and unfair. I beg you to recognize the seriousness of the present problems and the need to remedy them.

Thank you very much for the opportunity to present my views. I would be very happy to try to answer any questions you may have.

Senator SIMPSON. Thank you very much.

I have several questions of each of you, but I would ask first, Mr. Stevenson, could you comment briefly to the subcommittee on the effect of the G-iv status on the recruitment of staff members, please?

Mr. STEVENSON. Yes, Mr. Chairman.

EFFECT ON INSTITUTIONS

I think it is probably clear from what you have heard that the difficulties with the G-iv visa status have now reached their most severe point. This is largely as a result of the aging process of the organizations themselves. Many people who came a number of years ago now have problems or will have problems quite shortly, and so there is a sort of cumulative knowledge, if you like, about the circumstances that one finds oneself in as one's career develops. So, within the organizations themselves, there is a growing feeling that the G-iv visa status operates in a way which is harsh and causes one's family some distress.

Now, clearly, the organizations themselves are not going to advertise this fact to new applicants. However, those applicants who currently apply have an interest, and not unnaturally, in what their family situations will be if they were to join the organiza-

tions, and often those information requests are dealt with at the interview level.

For example, since I have become involved with the Children's Coalition and become a source of information on G–iv visa technicalities, such persons are often referred to me, and I would have to say that people have been through interviews in my office and have subsequently withdrawn their applications on the grounds that this is something that they are not capable of dealing with or their families are at an age where they do not feel this is a risk they can take.

Now, for the organization I work for, it is a rather severe problem. We are a growing organization, and we need all the recruits we can find, and we have vacancies to fill, and everybody who is turning us down is a loss to the efficiency of the organization.

Senator SIMPSON. Thank you.

I want to hurry along a bit. I understood that response. I want especially to address another question. I have been told that children having parents of different nationalities have some very real additional problems. Could you describe, please, some of those to us?

Mr. STEVENSON. Yes, Mr. Chairman.

CHILDREN

I think that mixed families are a fairly common feature of the organizations. In order to become qualified for the very specialized requirements that the organizations have, prospective applicants will often spend time abroad—out of their own home country—before they come here to Washington to serve my own organizations or indeed any of the other American-based organizations. In that case, they may have been out of their home country when they married, and they may well have had children there, and then the family comes to the United States with mixed parentage and often with children of mixed nationality. It clearly is that some of the children do not have common nationality, and may not even have the nationalities of both their parents. I know certain specific instances where that is the case.

So, these things, these circumstances are quite common, and I think they are felt not only by people who are born in different countries outside the United States, but also for those families who come here at a relatively young age and have children born here. Obviously, the children born here are then U.S. citizens, and under the current regulations those children who are U.S. citizens cannot sponsor any members of their family until they are 21, and then only in certain circumstances. That is clearly a very difficult thing to come to terms with.

What does one do with a child who has U.S. citizenship apart from the rest of the family?

Senator SIMPSON. In your written testimony, you state that it is almost impossible for G–iv children to obtain permanent immigrant status on their own. Would you please explain why that is?

DIFFICULTY IN OBTAINING PERMANENT VISAS

Mr. STEVENSON. I think it is clear that one route by which they might obtain immigrant status is, of course, by marriage. If the child becomes Americanized to the point where he marries an American, he may stay here on those grounds. Alternatively, the child can try to obtain a preference visa or to qualify to remain here via some other route. Realistically, both these options will help very few people. Otherwise, as soon as the child finishes his education and would reach a point at which he would like to be self-sufficient and terminate his dependence on his parents, his G–iv visa status is withdrawn, and he must therefore return to his home country.

Senator SIMPSON. The nature of that and the impossibility of obtaining permanent immigrant status of the child is not equally true for the parent. That is true, is that not the case?

Mr. STEVENSON. Not true for the employee.

Senator SIMPSON. That is not equally true for their parents.

REASONS FOR NOT CONVERTING EARLIER

Mr. STEVENSON. That is a fairly complicated situation. The employees themselves are bound by the staff regulations of the organization they work for, and the international organizations like to be and have a need to be staffed by an international quorum, and it is clear that for that to be so, to remain so, it is a condition of your employment that you do not change to U.S. citizenship.

Senator SIMPSON. Then we come back to part of the real issue of this entire matter. I would like you to share with me any thoughts of yours as to why many of the G–iv visa holders did not adjust their status to permanent residents when the opportunity still existed, when nonpreference numbers were still available. Do you have any thought on that?

Mr. STEVENSON. Well, as I said, you know, there were regulations in effect which prevented them from doing that, and that is a condition of one's employment, that those routes which were theoretically open were practically closed, and that was not in general undertaken by people in that situation.

Senator SIMPSON. Well, I understand the real issue of the conditions of employment. Certainly that is very real. Do those conditions of employment, or those employment regulations often prevent the spouse from an adjustment of status?

Mr. STEVENSON. Yes; there are specific cases where spouse and children were discouraged from adjusting their status.

Senator SIMPSON. Just a couple of questions of Mr. Lin, and if I may, both of you, do you each have friends or acquaintances in your country of your birth or your home country? And I would ask you how many times you might have visited the nation in which you were born, and when your last visit was. May I ask you that?

CHILDREN

Ms. SCHMEDTJE. Yes, Mr. Chairman. My last visit to Germany was this past summer. I usually go home for brief periods every second summer. I have very few friends over there at this time, be-

cause all of my schooling has been in America. So the friends that I have there are basically just old friends of the family, which I see so infrequently that it is almost impossible to maintain any kind of contact with them, and also during my visits to Europe, the time is usually so limited that I am not able to visit the few friends that I do have.

Mr. LIN. I have gone back at intervals of approximately 3 years, and the last time I went back was in the summer of eighth grade, but most of the time when I have been back there, it has pretty much been like a vacation, like any other place where I would go sightseeing. I have a few cousins that I am friends with, but otherwise I do not know anybody there except for my grandparents and other relatives.

Senator SIMPSON. Do you intend to become U.S. citizens? Might I ask you that?

Mr. LIN. Yes, I do.

Ms. SCHMEDTJE. If granted the opportunity, yes.

Senator SIMPSON. OK. Just one further question. Then I will go on to Senator Mathias.

Mrs. Juusela, it compels my compassion when I hear you tell that story of your life and your husband and so on, and I would ask you, did you ever attempt to adjust your status in those first 23 years of residence in the United States at any time?

REASONS FOR NOT CONVERTING EARLIER

Mrs. JUUSELA. Not directly, Mr. Chairman. I inquired at the FSI whether they could sponsor me for this resident alien status, but they said that they cannot do, because it is against their policy. They cannot do it. This was already earlier——

Senator SIMPSON. Who said that was against their policy?

Mrs. JUUSELA. The Foreign Service Institute, which is part of the State Department. That was at the time when I was working there, and I was already connected with the G-iv Children's Coalition. I thought it might have been an opportunity for me to get resident alien visa and through me my children could get that.

Senator SIMPSON. Well, it is a tough one. It sounds easy when you start, like everything around this place. I hear that claim of unfairness. I understand that. I think that phrase has been used. And yet we talk about the breaking up of families. Yet the whole theory and theme of our immigration policies, even when we are doing it wrong, which we do beautifully sometimes, is still family reunification, and the claim that our immigration policies are the leading edge of breaking up the families, I hear that, but still, we should remember the other side of it, that the emigrant who decides to immigrate begins the process of doing that.

I am not saying that I am putting great emphasis on that, but there is a voluntary choice involved. In the year of testimony we have had about immigration reform, you can imagine what kind of a hearing we might have with regard to Haitians or Mexicans who simply want to find a better life in America. It is a very interesting side, too.

Mr. STEVENSON. I would like to comment on that. I think very few of the people who work for the international organizations con-

sider themselves as emigrees. I think in general they come here with the belief that they are well in charge of their professional circumstances. They are taking a job opportunity which interests them in a part of the world where they are clearly able to take care of their children and their families, and where educational opportunities are available, and so on.

I think what happens in fact is that the very openness of—the fact that this is an immigrant society, that people are accommodated here with a certain ease, it is a thing that comes as a great surprise to anybody who comes to work for the international organizations. You think of yourself as being from where you are from, but the fact is that if you bring young children here they are so very quickly converted into believing in it. It is that strong, the American culture.

That becomes soon a major setback for you, and it may well be that the employee will go through the whole of his employment here and never consider himself an emigre, but for his family, which is the point that we are trying to address today, the situation is different.

Senator SIMPSON. Certainly the area of adjustment of status is something that we have spent a great deal of time on in the past year. The reform legislation will have some significant suggestions on adjustment of status.

Senator Mathias, if I might defer to you as one who has been a member of the Select Commission on Immigration and Refugee Policy, and has served there—we were on that together—who has a great and continuing interest in this important issue at the request of Senator Mathias and because of my own interest and curiosity, we have gone forward with this hearing at an early time. We want to adopt a portion of it in the reform legislation. Mac, compassion has never been low on your list of attributes, and I admire very much what you are doing here. I know you have a statement to present, and we would appreciate hearing from you.

STATEMENT OF HON. CHARLES McC. MATHIAS, JR., A U.S. SENATOR FROM THE STATE OF MARYLAND

Senator MATHIAS. Well, Mr. Chairman, I hesitate to interrupt the colloquy which is now under way between this panel and the Chair, because I think you would learn much more from them than you are likely to learn from me.

I think that any country would be proud of every member of this panel, and I think the United States should be proud of them, too; they speak so eloquently.

Since you have interrupted their testimony, I will take this opportunity to thank you for holding this hearing, and to note that the hearing is important to the passage of the bill. One of the objections that has been raised to passing this bill is the rather technical one—almost a pettifogging objection, but nonetheless it has been effective—that there has not been a hearing, that there is no record.

Well, now, thanks to you, Senator Simpson, we have a hearing, and thanks to Senator Simpson, there is going to be a record, and

that is an enormously important step toward passage, and I want to express my appreciation.

This is a bill which may not loom very large on the legislative agenda of the United States Congress, given the kind of problems we have in the world, but it is tremendously important to young people who are residents of the United States, who have lived in the United States for most of their lives, who very often think of themselves as Americans, who think of the United States as their home, and yet who are denied the right of looking into their own futures as citizens and residents of the country that has embraced them during their formative years.

That is really what we are here to talk about, and that is the case of the children of those who work in this country for international organizations such as the World Bank and the International Monetary Fund, and who as the law stands now, and as we have just heard from this panel, must return to their parents' homeland after they complete their education or when their parents are separated from the institutions which had originally brought them here. The homeland of their parents is just as much a foreign country to many of them as it is to thousands of first generation Americans, people really of the same circumstance, but who just happen to come to this country for a different reason.

So, it seems to me that there is an element of human decency in reconsidering our policy of forcing them to leave this country to return to a land which, as we have just heard, may in many cases be unfamiliar and where it may be very difficult for them to adjust to living. I think it is typical of Senator Simpson, a thoroughly decent man, that he recognizes this emotional burden, and that he is really the first person who has taken the step to move this legislation along.

You are getting testimony face to face. You do not need it second hand. But I did get a letter not long ago from a man who works for the International Monetary Fund, and he says that, "My daughter, who is 21, entered the United States at age 9. She was in the Montgomery County Public Schools," and I think we are justifiably proud of the Montgomery County Public Schools in Maryland, but he goes on to say, "But incompatibility of programs prevented her from getting into a university in the United Kingdom," and this is a practical kind of problem that arises. Having been integrated into the American educational system, they do not necessarily integrate back into the country of origin's educational system. "She is now in her senior year of college in Oregon, and she will graduate in December. What is she to do then? We have no relative to speak of in the United Kingdom, and I do not know how to advise her to find a job there." And then he adds a line that I found somewhat difficult, because apparently she has sought official advice, and the practical advice that she got from officials is that she should marry an American. [General laughter.]

Senator MATHIAS. Well, that is practical, all right. [General laughter.]

But it is not really the kind of advice that you expect to get in 1982. That is 1782 advice. [General laughter.]

Marry an American.

Here is another one from a parent:

For the past seven years, my children have attended American schools. In keeping with the long tradition of this schooling system, my children have been absorbed into the American way of life without regard to their country of origin, and now feel and act as if they were citizens, like their fellow class members. When I informed them of their present status as G–iv visa holders, they failed to comprehend the significance. This attitude has made me very concerned about their future prospects, as it would have a devastating effect on them if, after completing their education in the United States, they have no option but to return to their home country, a country which they now regard as foreign. If the present bill is not enacted in the near future, reluctantly, I will have no option but to sever my connection with the World Bank and return to my home country.

Now, this is the other side of that story, Mr. Chairman. It is not only an impact on these young people. It is affecting the international institutions. It is depriving them of talented employees whom they would otherwise count on. So, there is a serious institutional impact as well as the emotional and personal impact.

I believe the bill would go a long way toward eliminating these hardships, and I think that in the long run it will serve the best interests of the United States and the international organizations as well as the men and women and children whose lives are affected.

Last year, I had a letter from Kurt Waldheim when he was Secretary General of the United Nations, who told me that a decision by the United States to extend such a privilege would represent yet another expression of the humanitarian traditions of this great country.

Mr. Chairman, I would like to submit the balance of my statement, and just say if I can be of any help in responding to any questions, I will be glad to try.

Senator SIMPSON. You have been very helpful throughout, Senator Mathias. I might just note that the Senate was performing its labors well last year on this legislation, and did report this out without a hearing. I will certainly give credit to colleagues of the other faith who were in the majority the last time, who did indeed address this issue and see that it was reported out. I hope we can reach some kind of basis of compromise between the Senate bill as we presented it to them last year, the House bill, and now the Mathias legislation, which I think is one that we will look into with regard to time.

In other words, the thing I want to pursue, and we will do so with the other witnesses, is the qualification under your bill for special immigrant status if one has resided in the United States for an aggregate period of 10 years before the age of 26. I am doubtful whether there really is that significant difficulty adjusting to life in the home country under those circumstances. My personal interest is in the children and in the widow. Your bill also has an interesting provision for nonimmigrant status for employees who have spent 10 years in the United States. We want to determine whether when a person who is, say, 55 or 65 should be required to return to their home country.

Those things are very important, and you have addressed them in your bill, and I appreciate it.

Do you have any questions of this fine group?

Senator MATHIAS. No, I do not want to interrupt further. I hope the hearing will lay to rest the contention that this bill would be a

kind of loophole through which applicants for citizenship would be admitted who would not get in any other way, and I think it ought to be clear that the way the bill has been drafted, all the normal exclusions still apply under section 1122, people who advocate the violent overthrow of government or members of terrorist groups, people who advocate killing government officials or destroying property. All of those people would be excluded just as they would in the normal course of events.

The PLO has been raised as a possibility, and of course the PLO is not a member of any of the international organizations contemplated by the bill, so that objection really is just a smokescreen that people are throwing up.

Now, you have raised the question of the time limits. I think the bill has been pared down. It is barebones, but the question of residency requirements is clearly something which the committee ought to look at and see if they concur with my judgment that the times specified in the draft are appropriate. Even if you adopted my bill as it is before the committee, once you get over the initial backlog you are only talking about perhaps 300 people a year, not a lot of people when you look at the number of people in the world today—300 people a year.

According to the State Department, it might be 150 children, maybe 75 retirees, maybe 60 spouses of retirees. So we are not looking at a great mass of immigration that is going to overwhelm the United States or going to impact on the unemployment problem or anything of that kind. It is a very modest proposal, and it is directed at a human problem, and it is in a human dimension.

Thank you, Mr. Chairman.

Senator SIMPSON. Thank you, Senator Mathias, and thank you very much on this panel. You have been very helpful to us. We will take just a short, 3-minute break, and then come to the final panel of the afternoon, please.

[Whereupon, a brief recess was taken.]

[The prepared statement of Senator Mathias follows:]

PREPARED STATEMENT OF SENATOR CHARLES MCC. MATHIAS, JR.

MR. CHAIRMAN, I WANT TO THANK YOU FOR SCHEDULING THIS HEARING. IT IS AN IMPORTANT STEP TOWARD THE EVENTUAL PASSAGE OF A BILL WHICH MAY NOT LOOM LARGE ON THE LEGISLATIVE AGENDA, BUT WHICH IS TREMENDOUSLY IMPORTANT TO A GROUP OF YOUNG PEOPLE WHO HAVE LIVED IN THE UNITED STATES FOR MOST OF THEIR LIVES, WHO THINK OF THEMSELVES AS AMERICANS, WHO THINK OF AMERICA AS THEIR HOME, YET WHO ARE DENIED THE RIGHT TO REMAIN IN THE COUNTRY THAT HAS NURTURED THEM DURING THEIR FORMATIVE YEARS.

I AM SPEAKING, OF COURSE, OF THE CHILDREN OF THOSE WHO WORK IN THIS COUNTRY FOR INTERNATIONAL ORGANIZATIONS, SUCH AS THE WORLD BANK AND THE INTERNATIONAL MONETARY FUND, WHO, AS THE LAW STANDS NOW, MUST RETURN TO THEIR PARENTS' HOMELAND AFTER THEY COMPLETE THEIR EDUCATION, OR WHEN THEIR PARENTS DIE OR RETIRE.

THE HOMELAND OF THEIR PARENTS IS JUST ANOTHER FOREIGN COUNTRY TO THEM AND THEY OFTEN DO NOT EVEN SPEAK THE LANGUAGE. UNDER THESE CIRCUMSTANCES, IT SEEMS TO ME THAT HUMAN DECENCY REQUIRES US TO RECONSIDER OUR POLICY OF FORCING THEM TO LEAVE THIS COUNTRY TO RETURN TO AN UNFAMILIAR LAND, WHERE THEY MAY NEVER BE ABLE TO ADJUST TO LIVING SUCCESSFULLY.

A MAN WHO WORKS FOR THE INTERNATIONAL MONETARY FUND IN WASHINGTON WROTE ME LAST YEAR SAYING:

> MY DAUGHTER...(21) ENTERED THE UNITED STATES... AT AGE 9. SHE WAS IN THE MONTGOMERY COUNTY PUBLIC SCHOOLS, BUT INCOMPATIBILITY OF PROGRAMS PREVENTED HER FROM GETTING INTO A UNIVERSITY IN THE UNITED KINGDOM. SHE IS NOW IN HER SENIOR YEAR AT A COLLEGE IN OREGON, AND SHE WILL GRADUATE IN DECEMBER. WHAT IS SHE TO DO THEN? WE HAVE NO RELATIVES TO SPEAK OF IN THE UNITED KINGDOM, AND I WOULD NOT KNOW HOW TO ADVISE HER TO FIND A JOB THERE. OFFICIALS SAY THAT SHE SHOULD MARRY AN AMERICAN, BUT THIS IS UNREASONABLE.

AND LISTEN TO THIS STORY FROM A CONCERNED PARENT:

> FOR THE PAST SEVEN YEARS MY CHILDREN HAVE ATTENDED AMERICAN SCHOOLS. IN KEEPING WITH THE LONG TRADITION OF THIS SCHOOLING SYSTEM, MY CHILDREN HAVE BEEN ABSORBED INTO THE AMERICAN WAY OF LIFE WITHOUT REGARD TO THEIR COUNTRY OF ORIGIN AND NOW FEEL AND ACT AS IF THEY WERE CITIZENS, LIKE THEIR FELLOW CLASS MEMBERS... . WHEN I INFORMED THEM OF THEIR PRESENT STATUS AS G-4 VISA HOLDERS, THEY FAIL TO COMPREHEND THE SIGNIFICANCE. THIS ATTITUDE HAS MADE ME VERY CONCERNED ABOUT THEIR FUTURE PROSPECTS, AS IT WOULD HAVE A DEVASTATING EFFECT ON THEM IF, AFTER COMPLETING THEIR EDUCATION IN THE U.S., THEY HAVE NO OPTION BUT TO RETURN TO THEIR HOME COUNTRY -- A COUNTRY THEY NOW REGARD AS FOREIGN. IF THE PRESENT BILL IS NOT ENACTED IN THE NEAR FUTURE, RELUCTANTLY I WILL HAVE NO OPTION BUT TO SEVER MY CONNECTION WITH THE WORLD BANK AND RETURN TO MY HOME COUNTRY.

WHILE THE PROVISION OF THE LAW WORKS PARTICULAR HARDSHIPS ON CHILDREN, IT ALSO CAUSES EMOTIONAL DISTRESS TO ADULTS WHO HAVE OVER THE YEARS MADE THE UNITED STATES THEIR REAL HOME WHILE WORKING FOR THESE INTERNATIONAL ORGANIZATIONS. WHEN AN EMPLOYEE OF AN INTERNATIONAL ORGANIZATION

DIES, THE WIDOW OR WIDOWER IS FORCED TO LEAVE THE UNITED STATES -- NO MATTER HOW LONG THEY'VE LIVED HERE.

MY BILL WOULD ELIMINATE THESE HARDSHIPS. I THINK SUCH A LAW WOULD SERVE THE BEST INTEREST OF THE UNITED STATES, THE INTERNATIONAL ORGANIZATIONS, AND THE MEN, WOMEN, AND CHILDREN WHO LIVE HERE.

FORMER UNITED NATIONS SECRETARY-GENERAL KURT WALDHEIM WROTE TO ME LAST YEAR AND TOLD ME THAT A DECISION BY THE UNITED STATES GOVERNMENT TO EXTEND SUCH A PRIVILEGE WOULD REPRESENT "... YET ANOTHER EXPRESSION OF THE ... HUMANITARIAN TRADITIONS OF THIS GREAT COUNTRY."

IN 1979, I INTRODUCED A BILL -- S. 1566 -- THAT WAS SIMILAR IN PRINCIPLE TO THIS BILL. IT WAS INCORPORATED INTO THE LARGER IMMIGRATION AND NATURALIZATION ACT, S. 1763, AND WAS FAVORABLY REPORTED TO THE SENATE FLOOR BY THE JUDICIARY COMMITTEE. ON THE HOUSE SIDE, THE IMMIGRATION SUB-

COMMITTEE ADOPTED A SIMILAR PROVISION, BUT IT WAS DROPPED ON THE HOUSE FLOOR BECAUSE OF PROCEDURAL OBJECTIONS.

IN THIS CONGRESS, WITH THE CHAIRMAN'S HELP, WE WILL TRY AGAIN. MY BILL WOULD LIGHTEN THE GREAT EMOTIONAL BURDEN THAT NOW WEIGHS ON BOTH THE PARENTS AND CHILDREN WHO HAVE BECOME "AMERICANIZED." I URGE ITS SPEEDY ADOPTION AND THANK THE CHAIRMAN FOR HIS HELP AND SUPPORT.

Senator SIMPSON. The hearing will come to order, please. We will proceed with the final panel, consisting of; Lloyd Cutler of Wilmer, Cutler & Pickering of Washington, D.C.—he certainly has served this country in many significant ways, most importantly as counsel to our President in the last administration, and a fine reputation indeed—and the Honorable Robert McNamara, former president of the World Bank, and now in Washington, D.C., who indeed has served this country in so many ways, including as Secretary of Defense under Presidents Kennedy and Johnson and as former president of the Ford Motor Co. It is good to have you with us, sir. And another distinguished American, Davidson Sommers, Esq., former general counsel of the World Bank and former chairman of the board of Equitable Life. I look forward to your testimony. Please proceed.

STATEMENT OF LLOYD N. CUTLER, OF WILMER, CUTLER & PICKERING

Mr. CUTLER. Thank you, Mr. Chairman. We were to have another great American and national hero here and that is Jack McCloy, but unfortunately he was confined to the hospital with pneumonia. But he did send word to me to say to you, Mr. Chairman, that he is here in spirit. He is one of the five living, American presidents of the World Bank, all of whom strongly support this legislation.

You have Mr. McNamara here before you. You have letters from Gene Black, from George Woods, and from Tom Clausen, and also from Mr. Larosiére, the managing director of the International Monetary Fund.

In addition, I think it is true that every living Secretary of State and Secretary of the Treasury either has written you supporting

this legislation or will shortly. There are one or two whose letters have not yet arrived, but they will be here.

Elliot Richardson, who held a number of major jobs, has also written. He is currently chairman of the United Nations Association and he stressed the importance of this from the standpoint of the United Nations. So has Stanley Resor, well known to you, Mr. Chairman, who also is now a member of the board of the United Nations Association.

[The following information was submitted for the record:]

Box 186
Hobe Sound, Florida 33455

January 18, 1982

Honorable Alan K. Simpson
Chairman, Subcommittee on Immigration
and Refugee Policy
United States Senate
Washington, D.C. 20510

Dear Senator Simpson:

I am writing to urge prompt action on proposed legislation that would permit officers and employees of international organizations based in the United States and members of their immediate families to remain here once they are no longer eligible for visas deriving from their employment status. Legislation that would remedy many of the problems faced by such people is currently pending before your Subcommittee in the form of S.1998, introduced by Senator Mathias during the closing days of the last session of Congress.

During the 12 years that I served as President of the World Bank, I became increasingly concerned with the serious human problems faced by many dedicated international civil servants who, with their families, spent long years away from their homelands. I understand that the problems have become even more serious since my retirement in 1962. Many of my former colleagues are increasingly distressed by their current situation, and it is having an increasingly serious impact on the recruitment of qualified persons from foreign countries to serve at the Bank and on employee morale and well-being.

As a matter of national policy, the United States has welcomed international organizations to our country, supported their activities, and encouraged their growth. We have sought to strengthen their ability to play an increasingly critical role of promoting development throughout the world, particularly in the less developed nations. I am deeply fearful that our overall goals will be unsatisfied if our present immigration policies are not changed.

The proposed legislation would permit the children of dedicated officers and employees who have spent many years in the United States to obtain special immigrant visas. The affected children will have been raised here, educated here, and become Americanized. Such children -- and their parents -- now face an impossible situation. Having grown up here and completed their education, these children either must remain dependent on their parents, or leave the United States to pursue their chosen careers. Many of these children have been here since they were very young, and their families have little or no contact with their native country.

The bill would also remedy the serious problems that arise when staff members die or retire from an international organization. The death of a spouse or parent is always traumatic, but it is made even more so by the fact that the family must leave the United States promptly thereafter to return to a country where they may have no current contacts whatsoever. Similarly, retirement triggers departure requirements, seriously disrupting family life and creating severe problems. The proposed legislation would permit affected families who have been here for extensive time periods either to remain indefinitely on temporary visas or to become special immigrants.

These proposals seem to me to be an equitable solution that well serves the interests of the United States. Permitting such people to remain would enrich our country, alleviate personal hardship, strengthen the ability of important international organizations to obtain qualified employees, promote our foreign policy and international economic development goals, and would be in the best tradition of American fairness and decency. I strongly urge prompt and favorable action on these proposals.

Sincerely,

Eugene R. Black

GEORGE DAVID WOODS

825 Fifth Avenue
New York, NY 10021

January 25, 1982

The Honorable Alan K. Simpson
United States Senate
Washington, D. C. 20510

Dear Senator Simpson:

I take the liberty of writing to you with respect to S.1998, a bill that would entitle non-United States employees, i.e., staff members, of certain international governmental institutions headquartered in the United States and immediate families to obtain permanent immigrant visas provided they meet certain durational residency requirements. I am told that this legislation is currently pending before your Subcommittee on Immigration and Refugee Policy.

During my tenure as President of the World Bank--January 1963 to April 1968--it was relatively easy for most retiring staff members and the children of staff members to obtain permanent resident visas. I understand that this is no longer the case, and that for the past several years the World Bank and similar international institutions have been urging legislative changes that would make it easier for long-time residents among the staff and their families to remain here. Generally speaking, the great strength of these international institutions derives from the high quality of their career staff. Legislative action to relieve the severe problems many families are now facing would seem to be consistent with our immigration policy goals favoring persons with close contacts with the United States who have no other real home.

I wholeheartedly and unreservedly approve of the objectives of S.1998 and I urge you to support it. At the same time, I trust the bill as finally enacted will include appropriate restrictive provisions with respect to citizens of "Warsaw Pact" countries.

Whatever you may do to move this legislation forward and to bring about its enactment will be sincerely appreciated not only by the institutions and their staff members but also by those of us who care very much about the on-going effectiveness of both.

Cordially,

(Signed) George D. Woods

bcc: Mr. Lloyd N. Cutler

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

WASHINGTON, D.C. 20431

January 25, 1982

Dear Mr. Secretary:

We are writing to enlist your assistance with respect to a matter of increasing concern to the international governmental institutions based in the United States, including The World Bank and the International Monetary Fund. We refer to the very serious problems faced by non-U.S. staff members of the institutions and members of their immediate families once they are no longer eligible for a visa deriving from the staff member's employment status.

Non-U.S. staff members of The World Bank, the Fund, and the other affected international institutions generally enter the United States on so-called "G-iv" visas. These are nonimmigrant visas that entitle staff members, and members of their immediate families, to reside here for the duration of the staff member's employment. Once that employment terminates--even by death while in service--however, under existing immigration law these people lose their G-iv status and the entire family must leave. Moreover, family members are entitled to a G-iv visa only while they reside in the staff member's household. Thus, when the children complete their education or marry, they, too, may lose their G-iv status.

Although the very serious problems resulting from this situation have long been of concern, they have become increasingly acute during the past several years. Our institutions have a policy of recruiting staff members for long periods of service, and we have now many staff members who have been here more than two decades. Formerly, it was relatively easy for spouses and children of many G-iv visa holders to obtain permanent resident visas and it was possible for the staff members themselves to obtain such visas upon their retirement.

Unfortunately, unrelated changes in the immigration laws during the past several years have inadvertently made it much more difficult for staff members and their families to obtain permanent resident visas. Many families are therefore faced with an uncertain future for reasons beyond their control. Most children who finish their education are unable to work in their chosen careers and many families have been separated.

As a result, our institutions are having increasing difficulty attracting the high-quality staff that our work requires. The situation has also led to poor employee morale, premature resignations from the staff, and serious human problems, including even psychological breakdowns. We fear that continuation of the present situation will have serious long-term effects on the vitality of our organizations.

The Bank and the Fund have been at the forefront of efforts to remedy these problems. Our predecessors supported an effort to obtain legislative relief in 1977, and our institutions have consistently urged action since that time. Bills were introduced during the last Congress but died unenacted despite favorable reports from the Judiciary Committees of both the House and the Senate, and the support of the Administration. In the current Congress, Senator Charles McC. Mathias, Jr. has introduced a new bill (S.1998), and the Subcommittee on Immigration and Refugee Policy, chaired by Senator Alan K. Simpson, will hold a hearing on February 1.

The proposed legislation would remedy the more serious inequities that have resulted from the current situation. It would permit children who have resided here during their formative years to apply for permanent resident visas as special immigrants, and would provide similar benefits for retirees, surviving spouses of those who die in service, and their immediate families who are long-time residents. The numbers of persons affected is quite small, both in absolute terms and in comparison with other categories of immigrants.

The anxiety suffered by those affected by the present situation and the actual hardship endured by some, the difficulty that the present situation is causing the Bank and Fund and other international agencies in retaining their non-U.S. staff members for long periods, and the need for our institutions to obtain the best possible staff from all parts of the world impel us to seek legislative relief. We would very much appreciate your bringing this matter to the attention of the Attorney General and the Secretary of State, both of whose departments are involved in the current legislation. We cannot stress too heavily the importance of a satisfactory outcome for the well-being of our employees, and more broadly, for the continued effectiveness of our institutions. We would be most grateful for anything that you and those who work with you are able to do to promote prompt enactment of the legislation.

Sincerely yours,

J. de Larosière
Managing Director
International Monetary Fund

A. W. Clausen
President
The World Bank

The Honorable Donald Regan
Secretary of the Treasury
Washington, D.C. 20220

INTERNATIONAL TELECOMMUNICATIONS SATELLITE ORGANIZATION
ORGANISATION INTERNATIONALE DE TELECOMMUNICATIONS PAR SATELLITES
ORGANIZACION INTERNACIONAL DE TELECOMUNICACIONES POR SATELITE

18 January 1982

The Honorable Alexander M. Haig, Jr.
Secretary of State
U.S. Department of State
2201 C Street, N.W.
Washington, D.C. 20520

Ref: S. 1998

Dear Mr. Secretary:

It has come to my attention that legislation has again been introduced in the U.S. Congress that would make it possible for international civil servants and members of their families who have been long-time residents in this country to acquire special immigrant status in the United States. I would appreciate any assistance that the Department of State might lend to the passage of this legislation.

Since World War II many international organizations have established their headquarters in the United States. Unlike diplomatic personnel who are frequently rotated from one post to another, international civil servants often spend most of their careers stationed at organization headquarters in this country, and consequently, they not only develop strong community ties here, but also acquire homes, which contributes to their frequent desire to retire in this country in order to pursue the civic and cultural activities for which their education and experience would qualify them.

Among the most serious problems occasioned by the difficulty in acquiring immigrant status under U.S. law are those faced by the maturing children of international civil servants, by those staff members who are about to retire from international civil service, and by the surviving spouses of such employees. Generally, immigrant visas are available only to immediate relatives of U.S. citizens or to individuals who have been offered employment in the United States on the basis of specialized skills in short supply in the U.S. labor market. These criteria are not easily met by young adults, surviving spouses, or retired international civil servants.

Legislation that would facilitate a solution to the difficulties encountered by international civil servants and their families would be most welcome.

Thank you for your attention to this matter.

Sincerely yours,

Santiago Astrain
Director General

February 8, 1982

The Honorable Alan K. Simpson
United States Senate
Washington, D.C. 20510

Dear Senator Simpson:

I have been asked by Lloyd Cutler to write to you in connection with S.1998, a bill currently pending before your Subcommittee on Immigration and Refugee Policy, that would grant special immigrant status to international civil servants and their families who have resided here for long periods of time while in the service of international governmental organizations based in the United States.

As you know, since World War II, the United States has served as host country for several international governmental institutions, including the United Nations, the World Bank, and the International Monetary Fund. The support of these institutions has been an important element of our foreign policy. The organizations are staffed by highly qualified technical and professional personnel from throughout the world, many of whom spend their entire careers or substantial portions thereof in international service. This means that, for many families, the United States is their home.

Despite lengthy periods of residence, however, such employees, and their accompanying family members, have no permanent right to remain in the United States. Thus, when the employee dies or retires, the family must leave the United States promptly. In addition, children who cease to reside in the household of the staff member have no continuing right to remain in the United States, even though they may have spent virtually their entire lives here and received their undergraduate and professional education and training in United States institutions. The purpose of S.1998 is to deal with many of these problems.

Although I have not had an opportunity to consider fully all aspects of S.1998, I favor removing inequities and hardships that occur under present law and thus I support the position of the Administration as set forth in the testimony of Alan C. Nelson the Acting Commissioner, Immigration and Naturalization Service, on February 1, 1982.

With warm regards,

William P. Rogers

HENRY A. KISSINGER

January 25, 1982

Dear Senator Simpson:

I am writing to enlist your support with respect to a matter of increasing concern to the international governmental institutions headquartered in Washington and New York.

As I am sure you are aware, employees of these international organizations enter the United States on so-called "G-iv" visas. These visas entitle them to remain here as long as they are working for the international organization. Once employment terminates, however, the visa expires by its terms, and the employee has no right to remain here, no matter how long he may have resided in the United States.

The situation is equally difficult for family members who have accompanied the staff member to the United States and must also leave when the staff member's employment ends. Moreover, children of such staff members face a particularly difficult situation. Their G-iv visa status is terminated once they marry or otherwise leave the household of the staff member. Thus, for many children of such international civil servants, the completion of their education and the attainment of adulthood means that they must leave the United States, no matter how long they have lived here, even though the rest of their family remains, and even though their educational background and training make them highly desirable to our country.

I understand that legislation is now pending before your Subcommittee on Immigration and Refugee Policy that would rectify the more serious hardships caused by this situation. I urge you to support such legislation. The numbers involved are quite small. The current situation is having a very serious negative impact on the international organizations themselves, as well as on the affected families. Because of our role as

host to these organizations and our long history of financial and other support, I believe that we have a special responsibility to assure that these institutions are able to recruit the high level staff that they deserve and that their employees who have formed close attachments to the United States are permitted to remain here, subject, of course, to the usual character criteria on the admissibility of aliens.

With my personal best wishes and thanks for your assistance,

Sincerely,

Henry A. Kissinger

The Honorable
Alan K. Simpson
United States Senate
Washington, D.C. 20510

EDMUND S. MUSKIE

January 22, 1982

The Honorable Alan K. Simpson
United States Senate
Washington, D. C. 20510

Dear Al:

I am writing to urge your support of pending legislation (S.1998) that would entitle non-US staff members of US-based international governmental institutions, and members of their immediate families, to permanent residence visas after lengthy residency in the United States. The Department of State endorsed similar legislation during my tenure as Secretary, but unfortunately the legislation died during the closing days of the last Congress.

Non-US staff members of these international institutions are generally in the United States on so-called "G-iv" visas, which are nonimmigrant visas that expire once the staff member's employment with the international institution terminates. Moreover, family members are eligible for a G-iv visa only while they reside in the staff member's household. Thus, when children finish their education or marry, they may lose their G-iv status and must leave the country unless they are able to obtain another type of visa.

As we discovered when we examined these issues while I was Secretary of State, some of the resulting difficulties can be very tragic. Families may be split up, and adult children forced to move to a country that is totally foreign to them, whose language they do not speak, and for whose job market they are unprepared. Widows and widowers of staff members must leave the United States promptly after the staff member's death, resulting in further disruption to the family at an already difficult time.

The international institutions themselves are also increasingly affected. I understand that recruitment of qualified non-US staff is made more difficult because of awareness of these problems, and that the situation has adversely affected employee morale.

I would hope, Al, that you will support the proposed legislation and push for prompt action. The equities in favor of these long-time residents are very strong, and the numbers involved are quite small. These people would also be a real asset to our country, as they are generally highly educated. The proposed legislation is needed soon to relieve the great anxiety of many staff and family members about their futures. I would personally be grateful for your help.

With best wishes, I am

Sincerely,

Edmund S. Muskie

ONE BATTERY PARK PLAZA
NEW YORK, N.Y. 10004

January 21, 1982

Dear Senator Simpson:

I am writing to urge you to support S.1998, which is currently pending before your Subcommittee, a measure principally intended to provide the children of international organization employees -- resident as nonimmigrant aliens in the United States -- with an option to secure permanent immigrant visas.

I became accutely aware of the severe problems faced by such children when I was Secretary of State and several international governmental institutions headquartered in the United States contacted the Administration for assistance. Non-US staff members of these institutions, and members of their immediate families, were having increasing difficulty securing permanent resident visas once their eligibility for so-called "G-iv" visas ended, despite having resided in the United States for long periods of time.

For the children, the situation was, and remains, particularly tragic. They may spend their entire childhood here and attend American schools and universities, yet upon completing their education, they are faced with difficult choices. If they marry or leave the staff member's household for other reasons, they are no longer eligible for a G-iv visa. Even if they do continue to live at home, they are unable to work legally, with rare exceptions.

Of course, such children may return to their country of origin and establish an independent life there. For many, however, this choice is unrealistic. They may not know the language, their education and vocational training have been geared to the American job market, they lack friends and contacts in an unfamiliar homeland, and their outlook and approach to life is thoroughly American.

S.1998 would ease these dilemmas by making children who have spent a substantial part of their formative years here eligible for permanent immigrant visas. Such children are already integrated into our society, are well educated, and would be a real asset to our country as permanent residents. The numbers involved are quite small, and all of the usual chracter and other criteria for the admission of aliens would of course be applicable.

I would be personally appreciative if you would support legislation along the lines proposed in S.1998. It is urgently needed, and needed soon, to avoid continued hardships for the affected families and the employing international organizations.

Sincerely yours,

Cyrus Vance

G. William Miller
1616 H Street, N.W., Suite 506
Washington, D.C. 20006

202 289-7940

January 29, 1982

Senator Alan K. Simpson
United States Senate
Washington, D.C. 20510

Dear Senator Simpson:

I am writing to urge prompt passage of pending legislation that would provide special immigrant status for children and surviving spouses of staff members of international governmental institutions headquartered in the United States and for retirees from those institutions.

I first became aware of the immigration problems faced by such persons during my tenure as Secretary of the Treasury. Several of the international institutions had approached my predecessor seeking legislation that would relieve the increasingly severe problem many of these long-time residents of the United States were facing in obtaining permanent resident status. After considerable analysis and study we recommended legislative action, but unfortunately the legislation died during the closing session of the last Congress.

The equities favoring such legislation are very strong. The bill would benefit children having close ties to the United States who reside here already, who have been educated here, and who are well integrated into our society. Often they know no other home and may not even speak their native language. The retirees who would benefit are also long-time residents whose pensions are sufficient to prevent them from being a burden to our society. The numbers of persons affected are small in comparison with other classes of immigrants.

I would personally appreciate whatever you can do to move this legislation forward.

Sincerely,

Bill

GWM:kk

Burroughs Corporation

[illegible] PLACE · DETROIT, MICHIGAN 48232

W. MICHAEL BLUMENTHAL
CHAIRMAN
AND
CHIEF EXECUTIVE OFFICER

January 22, 1982

The Honorable Alan K. Simpson
United States Senate
Washington, D. C. 20510

Dear Al:

It is my understanding that Senator Mathias has introduced a bill (S-1998) which deals with the so-called "G-iv" visas, covering non-U.S. staff members of United States-based international institutions and the members of their immediate families resident in the United States. Since this bill is pending before your Subcommittee on Immigration and Refugee Policy, with hearings scheduled in the near future, I wish to urge your support for a constructive solution to the "G-iv" visa issue.

I was involved with this question when I was Secretary of the Treasury and I am, therefore, acquainted with the details of the matters involved. I am in strong support of S-1998 and would urge you also to strongly support it.

"G-iv" visas entitle staff members of international organizations and members of their family residing in their household to remain in the United States only during the staff members' employment. This is true even if such employment lasts many years. Under present regulations, when a staff member dies or retires, the family must leave the country promptly. Married children or children who have completed their education, as well as those family members who no longer reside in the principal household, are ineligible for "G-iv" visas.

This situation creates considerable hardship and has been a constant source of contention. Things have now gotten worse because recent changes in our immigration laws have made it very much more difficult for such people to obtain permanent resident visas. All of this seriously undermines the ability of these organizations to recruit and has many other negative effects on our international relations and on the functioning of these organizations.

I first became aware of this problem in 1977 when Bob McNamara and others wrote me to urge legislative action. The issue was examined extensively and the Administration supported legislation. Unfortunately, that legislation died unenacted during the last Congress.

I urge strongly that you support S-1998 when it comes before your Subcommittee. The numbers involved are really minimal, and all the usual character and other qualifications would, of course, pertain for aliens who apply for admission under an amended procedure. Some kind of legislative relief to accomplish this is imperative and I would personally appreciate whatever you can do.

Sincerely,

Mike

W. M. Blumenthal

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HONORABLE ALAN K. SIMPSON
UNITED STATES SENATE
WASHINGTON DC 20510 - (SENT)

CC: MR. LLOYD N. CUTLER
WILMER, CUTLER & PICKERING
WASHINGTON, D.C.

I AM WRITING TO SUPPORT SENATE BILL 1998. I UNDERSTAND THAT THE SUBCOMMITTEE ON IMMIGRATION AND REFUGEE POLICY WHICH YOU CHAIR IS HOLDING A HEARING ON THIS BILL ON FEBRUARY 1. I AM TOLD THAT IT IS VERY DIFFICULT FOR CHILDREN OF NON-U.S. STAFF MEMBERS OF NUMEROUS MULTINATIONAL BANKING AND FINANCIAL INSTITUTIONS TO ORTAIN PERMANENT RESIDENT VISAS FOR REASONS I'M SURE ARE WELL KNOWN TO YOU. YOUR SUBCOMMITTEE IS CONSIDERING THE MATHIAS BILL AND URGE YOUR FAVORABLE CONSIDERATION OF IT. THE NUMBER OF PERSONS TO BE AFFECTED IS SMALL, BUT TO THAT SMALL GROUP THE HARDSHIPS WHICH ARE PRESENT UNDER EXISTING LAW LOOM LARGE.

I THINK THE CHANGES CONTAINED IN S1998 OUGHT TO BE ENDORSED.

SINCERELY,

GEORGE P. SHULTZ
PRESIDENT
BECHTEL GROUP, INC.
SAN FRANCISCO
SSFO/GFP/23

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Crescent Diversified Limited
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New York, N.Y. 10022

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Telex 424712 GECO UI

WILLIAM E. SIMON
Chairman

January 28, 1982

Writer's Direct Dial Number
(212) 750-4807

Dear Alan:

I am writing with respect to the serious difficulties posed by the increasing inability of many staff members of international governmental institutions headquartered in the United States to obtain permanent residence visas for themselves and their immediate families once their employment by the international organization terminates.

Since World War II, the United States has strongly supported the development of these institutions, and their continued success is an essential element of our international development policies. It was with great distress, therefore, that I recently learned of the serious impact that the current immigration situation is having on employee morale and recruitment success at these institutions.

As I understand the situation, non-US staff members of these institutions, and members of their immediate families, are in the United States on temporary, non-immigrant visas that entitle them to remain here only for the duration of the staff member's employment. Because the institutions long ago decided to emphasize career service rather than short-term appointments, it is not unusual for such families to reside here for many years, yet they must leave when the staff member dies or retires.

The situation is particularly difficult for the children. They may come to the United States at an early age, attend American schools, and have little contact with their home country. Yet, they have no permanent right to remain in the United States, and, indeed, may lost their eligibility for even a temporary visa once they leave the household of the staff member.

I understand that legislation is currently pending before your subcommittee on Immigration and Refugee Policy that would rectify the more severe hardships resulting from this situation. I believe that enactment of such legislation is essential to ensure the continuing viability of the several international organizations headquartered here, and I urge you and your colleagues to take prompt and favorable action.

With my personal best wishes,

Sincerely,

Bill

MILBANK, TWEED, HADLEY & McCLOY

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ELLIOT L. RICHARDSON
PARTNER

January 22, 1982

Honorable Alan K. Simpson
United States Senate
Washington, D.C. 20510

Dear Senator Simpson:

I understand that you will soon be holding hearings on legislation that would grant permanent residence status to international civil servants and their families who are long-time residents of the United States. I strongly urge you to support such legislation and to seek prompt action by the full Senate.

Under current law, staff members of international organizations based in the United States hold temporary, non-immigrant visas, that entitle them and family members residing in their household to remain here only for the duration of their employment. This status is particularly difficult for children of the numerous career staff members of the international institutions. Such children may spend their formative years here, attending American schools and universities, yet find that, upon graduation, they have no real choice but to return to a country where they have never lived, where they have few contacts, and where their professional training has not prepared them for the local job market. Alternatively, they may remain here as a member of the staff member's household, with the accompanying severe restrictions on their ability to work and postponement of financial and personal independence.

I was generally aware of these problems when I served as Attorney General and Under Secretary of State several years ago. As Chairman of the United Nations Association of the USA, I have learned that they have become much more acute in recent years, in part due to unrelated changes in the immigration laws that have made it much more difficult for persons who have no US-citizen relatives or unique professional skills to obtain permanent resident visas. The current situation is beginning to impact on the international institutions themselves, as employee morale is negatively affected and the recruitment of new, highly qualified employees becomes more difficult.

The legislation that is currently pending before your Subcommittee would rectify many of these problems and would be in the best tradition of American humanitarianism. The numbers of persons that would benefit are quite small. Moreover, it would be totally consistent with current immigration policies that favor unification of families and the granting of permanent residence opportunities to persons having close ties with the United States. I strongly urge you to support the pending bill.

With warm regard and best wishes,

Sincerely

Elliot L. Richardson

January 25, 1982

Honorable Alan K. Simpson
United States Senate
Washington, D.C. 20510

Dear Alan:

Since leaving the Department of Defense, I have taken an active part in the work of the Arms Control Panel of the United Nations Association of the United States of America. In that connection, I have become familiar with the very serious problems faced by career staff members of the United Nations and their families with respect to immigration status.

Staff members of international institutions headquartered in the United States normally hold nonimmigrant visas that entitle them and their families to remain here only for the duration of their employment. Upon the death or retirement of a staff member, the entire family must generally leave, regardless of the length of time they have lived in the United States. For some, this means returning to a country in which they have not lived for many years and in which they have no current contacts.

The situation can be particularly serious for the children of such staff members. They may have grown up and received all of their education here, yet they must leave with their parents unless they have been able to obtain a different visa status. Moreover, such children are entitled to nonimmigrant visas only while they remain a part of the staff member's household. Thus, when they complete their education and either marry or seek to build an independent life for themselves, they lose their rights to a nonimmigrant visa deriving from the staff member's employment.

I understand that Senator Mathias has introduced a bill which is now pending before your Subcommittee on Immigration and Refugee Policy that would relieve the most pressing problems that have arisen in this area. Such legislation is needed because, over the past several years, unrelated changes in our immigration laws have made it more difficult for staff and family members to obtain permanent immigrant visas through other channels. The number of persons involved are quite small, both absolutely and relative to other classes of potential immigrants, and the people affected are already well assimilated into our society, and are highly educated and a real asset to our nation. I would be most grateful if you would support this legislation and do everything in your power to obtain prompt enactment.

Sincerely,

Stanley R. Resor

bcc: Lloyd N. Cutler, Esq.

bcc: Mr. Lloyd N. Cutler

30 Rockefeller Plaza
New York, N.Y. 10112

Room 5600

247-3700

January 27, 1982

Dear Senator:

I am writing to urge prompt and favorable action on a pending bill (S.1998) that would provide special immigrant status for children of non-US staff members of international governmental institutions who are long-time residents of the US. In recent discussions with officials of the institutions, I have heard of their great concern that our immigration policies are seriously hindering efforts to recruit and retain top quality staff members from abroad.

As a result of certain unrelated changes in our immigration laws over the past several years, staff members of international institutions who work here on nonimmigrant visas can no longer be assured that they and their families will be able to remain once their employment terminates. These families are particularly concerned about the fate of their children, who spend their formative years here and grow up as Americans, yet have no right to remain upon reaching adulthood. Those with younger children and those considering employment are aware of the severe problems and traumas faced by many families whose children are now completing their education. They are torn between their career objective of serving the international community and their obligations to their families.

I understand that the bill now pending before your Subcommittee on Immigration and Refugee Policy will go a long way toward resolving the more serious problems faced by current and prospective staff members and their families. I would very much appreciate your support of this measure which I believe to be equitable and in the interest of good international understanding and cooperation.

With my personal best wishes,

Sincerely,

David Rockefeller

Honorable Alan K. Simpson
United States Senate
Washington, D.C. 20510

Mr. CUTLER. None of us is going to read his statement. We just want to pick up some of the very perceptive questions that you asked earlier witnesses and try to deal with those.

U.S. NATIONAL INTEREST

The first and most important point I think is that the G–iv people are here not because they heard America's call welcoming immigrants from all over the world, but because we wanted them to be here. We invited them here.

We played a leading part in establishing all of these international organizations which have their headquarters in the United States. We played a leading part in urging that those who do have their headquarters here locate in the United States. That has produced great value for the United States, especially with respect to the international financial organizations that are located here in Washington.

Mr. Erb of the Treasury Department has submitted a statement to you outlining the value to the United States of having these organizations here, staffed by a career staff of what you might call international civil servants, a substantial majority of whom necessarily must be non-Americans.

REASONS FOR NOT CONVERTING EARLIER

Second, you raised the question, quite a perceptive question, I think, of why those in the G–iv category had not previously moved to adjust their status. Mr. Stevenson gave you part of the answer when he said that it was against the policy of the international organizations to have officials recruited from other nationalities subsequently change to permanent U.S. residents and American citizenship.

But even more important, until just a very few years ago, Senator Simpson, it was not necessary for these career civil servants and their families to apply for permanent U.S. residence until the very end of their careers, until the need to acquire a non-G–iv resident status arose. It was very simple for most of them to obtain that status until the law was changed over the past several years.

It was changed in several important respects. For one thing, the six preferences were created and administered worldwide, which used up virtually all of the available limits. For another thing, country numerical allocations were abolished so that citizens of the United Kingdom, for example, which had never used up its country limit, were not able simply to come and change their status whenever they wished.

It used to be true that a child born in the United States could sponsor all of its siblings and its parents. That has now been changed so that it cannot be done until the child reaches age 21, which may be too late to enable the young American-born child to remain here if his family has to leave. That may also be too late to help the widow, it may be too late to help the other siblings, or it may be too late to help the retiree.

Those were the reasons, Senator Simpson. This is not a case of voluntariness of people who broke up their families to come to the United States and then tried to pull everyone else along with them.

They came with their families. They were asked by us, by the United States Government, at least indirectly, to come here and work for these organizations of which the United States is a vital part and which wanted the institutions to be located here in the United States.

NUMBERS AFFECTED

You have asked questions about, quite proper questions about the number involved. I believe the figure Senator Mathias just gave you refers primarily to the Washington-based organizations and it did not include the United Nations itself. When you pick up the United Nations, our best estimate is that just under 3,000 children now here, counting all of these agencies, would be eligible to apply for a change in status. That is probably more than would actually apply.

Thereafter, each year about an additional 300 children would become eligible under those 7- and 10-year rules that we have proposed, and in addition about 225 retirees or widows of staff members who die would become eligible, but still a very small number, particularly after the initial group. Thus, really in the range of only about 500 persons per year would become eligible and probably the number who would apply would be considerably less than that.

To admit these people we would submit to you is entirely consistent with immigration policy. How can one draw a distinction, let us say, between a Frenchman who works as a chauffeur or even as a secretary or perhaps an official of the United States embassy in France for 10 or 20 years, who now has a preference by statute, and another Frenchman who worked for 20 years as an economist at the Monetary Fund or the World Bank, in effect at the invitation of the United States Government and for the benefit of the United States Government?

I believe, Mr. Chairman, you are sponsoring a proposal to create in the new legislation a class of aliens who could come to the United States as investors because they would bring something of value to the United States. I would submit that this group of international organization civil servants have already made an investment in the United States. They have chosen to spend their professional lives here, performing a service which the United States believes to be of value. And certainly they ought to be entitled to the same consideration, let us say, as proposed new investors.

OTHER COUNTRIES

The question has been raised as to what other nations do. Based on our research, we are the only nation which is a host to one or more major international organizations which does not have either a statutory or a formal or informal administrative arrangement under which virtually all retirees, widows, and spouses and, in most cases, children are entitled to acquire permanent residence within time periods even shorter than those that we have specified in this bill.

That is true of Switzerland, Canada, Austria, the United Kingdom, and France, and that virtually uses up the major host na-

tions. And we have that material and would be glad to submit it to you.

USUAL GROUNDS FOR EXCLUSION APPLY

Senator Mathias has already made clear that it would not be possible, merely because of the enactment of this statute, for East bloc officials in the United Nations or adherents of the Palestine Liberty Organization who might work for one of the international agencies to take advantage of this bill and their status as international civil servants to apply for permanent residence. They would still be subject to the precise limitations on alien entry, permanent entry, that are already set forth in the immigration laws. Those would clearly cover the members or supporters of any Communist Party anywhere in the world, anyone who adheres to a terrorist organization that believes in killing the officials in any country, and anyone who believes in destroying property or sabotage. That certainly ought to cover everyone.

I will leave to Mr. McNamara and Mr. Sommers the very important point of the effect on the quality of the international organizations' staffs of the morale problem that has been created by these developments over the last 4 or 5 years when, for the first time, permanent resident status as a practical matter became unavailable to these people and their families.

And the last thing I would like to say is, I have advocated many causes in this room and in this Congress and in the courts, and not all of them may have been entirely deserving, although I hope most of them were. But I would say, I have never argued any cause which I thought was more deserving than this.

Thank you.

Senator SIMPSON. Thank you very much, Lloyd.

[The prepared statement of Lloyd Cutler follows:]

Prepared Statement of Lloyd N. Cutler

Mr. Chairman, members of the Subcommittee, my name is Lloyd N. Cutler. I am appearing today as counsel to the G-IV Children's Coalition.

You have already heard from Mr. Stevenson, the Coalition's President, and the G-iv visa holders who accompanied him, about the severe problems facing G-iv families. In a few minutes, two very distinguished former officials of the international institutions affected by the G-iv problem will speak. The presence here of Bob McNamara, former president of the World Bank, is particularly significant. John J. McCloy, one of Mr. McNamara's predecessors, had also agreed to appear before the Subcommittee but unfortunately he is ill and can't come. I understand, however, that both Gene Black and George Woods, other former Presidents of the Bank, have written to you, Senator Simpson, about the G-iv problem, as have several other very distinguished former Cabinet and Sub-Cabinet officials, including Henry Kissinger, Elliot Richardson, Mike Blumenthal, Ed Muskie, and Stan Resor. The willingness of these distinguished Americans to become involved with the issues before this Committee today says something, I think, about how important prompt resolution of the present problems is to the affected institutions and to our country.

My role today is to outline briefly some of the historical factors that have brought us to the current juncture. I will then discuss why legislative relief for G-iv visa holders is consistent with our current immigration policies and in the best interests of the United States.

A central element of our foreign policy following World War II was the establishment of strong, viable international governmental institutions that could deal with many of the political and economic problems facing the world

community on a multilateral basis. The United States took the lead in promoting the establishment of such institutions, and eagerly sought to serve as their host country. We welcomed the institutions and their staff members to our shores, granted them certain immunities and privileges that would enable them to maintain their international character, and did all we could to encourage their growth and development.

For the past 35 years, these institutions have been staffed by highly qualified, dedicated professionals and support personnel from around the world. In order to preserve their international character, many institutions have required non-U.S. staff members to remain in or assume G-iv status. Until recently, this presented no great problem for the staff members involved. It was relatively simple for staff members retiring from the employ of the international institutions to obtain permanent resident visas, and children of such staff members could do so as well.

Over the past several years, however, the situation has changed drastically. As a result of several statutory changes, it has become virtually impossible for most G-iv visa holders to obtain permanent immigrant visas. Today, most G-iv visa holders are able to qualify only for "non-preference" immigrant visas; since January 1, 1979, no applications in the non-preference category have been approved.

As a result, staff members and their families are in a terrible predicament. No matter how long they live here, family members on G-iv visas must leave the United States when the staff member dies or retires. Children who cease to reside in the staff member's household also lose their G-iv visa. Thus, when they complete their education, and want to build an independent life for themselves by moving into their own apartments and building a career like so many of their contemporaries, they lose their eligibility for a G-iv visa and

must find some other means of staying here legally. If they cannot, they must either remain dependent on their parents or leave, returning to a country of origin of which they have little knowledge, whose language they may not know, whose job market they are unqualified for, and where they may have no friends or close family. The situation is extremely unfair to these people, and it is causing serious problems for the international institutions involved.

It is important to recognize that we are talking about a very limited number of people. Although no precise data are available, several international institutions have provided data that have enabled the Coalition to estimate the numbers of children that might be eligible under the proposed bill. These data indicate that approximately 2900 children would qualify in the first year after enactment. These are children who have already spent a substantial part of their lives here and qualify for the bill's durational residency requirements. Of course, not all of these children would apply for special immigrant visas. After the first year, we estimate that an additional 300 children annually might become eligible to apply. In addition, we estimate that approximately 225 retirees, spouses of retirees and surviving spouses of deceased staff members might seek relief under the proposed legislation each year. These are small numbers in absolute terms, and are also small relative to the overall number of people seeking admission to the United States each year.

Enactment of legislative relief for G-iv visa holders who are long-term residents of the United States would be fully consistent with current immigration policies that favor the unification of families and the admission of persons with close ties to the United States. G-iv visa holders are already in the United States, own property here, speak our language, are active in our communities, and, in the case of children, have been educated here. These ties are certainly closer than

those of persons who may merely have relatives here or may have worked for the United States Government abroad. Moreover, admission of G-iv visa holders as permanent immigrants would not take away opportunities from others, since they would be admitted outside the numerical limits on immigration.

Other countries have recognized the equities favoring long-time residents and have adopted policies that permit such persons to remain. Switzerland, for example, has a formal policy whereby retiring staff members from an international organization are routinely issued a permanent residence permit if they have lived in Switzerland for 10 years, including the 5-year period immediately prior to retirement. Adult children are granted such permits if they have lived in Switzerland for at least 12 years, including the 5 years immediately preceding issuance. We understand that similar policies govern applications of surviving and divorced spouses of international organization employees. The regular immigration policies of several other countries, including France and Austria, provide similar opportunities.

Concern has been expressed in some quarters that this legislation would require the United States to admit certain undesirables. That is not correct. Persons applying for special immigrant status under the proposed legislation would be subject to all of the statutory suitability criteria. Thus, persons with criminal records, with severe health problems, with loyalty to the doctrines of world communism, and the like, could be screened out. Moreover, the legislation applies only to employees of international organizations that meet the requirements of the International Organizations Immunities Act. Thus, groups like the Palestinian Liberation Organization would derive no benefit under the proposed legislation, for such organizations are not international organizations within the meaning of the proposed amendment.

Let me turn for a minute to the impact that the current situation has on the affected international institutions. The G-iv problem has become an increasingly serious matter for them, and since 1977 several of them have sought relief both formally and informally. All the major international institutions involved wrote letters to appropriate officials in the Carter Administration urging legislative relief, and that Administration, after thorough study, supported legislation similar to S.1998. I understand that several institutions have recently again written to various agencies of the United States Government strongly urging enactment of legislation. The institutions unanimously believe that the problems faced by current employees are having very negative effects on morale and productivity and that recruitment of top-caliber staff members is made more difficult. If prompt action is not taken, the situation can only worsen.

The legislation currently before this Subcommittee ought to be noncontroversial. The bill is a modest one; there are many people in G-iv status who will not qualify because of the emphasis on long-term residence, and several categories of dependents are not included. The support that has been expressed by several distinguished former Cabinet members in several past Administrations is in the best tradition of the bipartisan approach to foreign policy issues of concern to the international community. Indeed, I believe that the Congress itself views this as a nonpartisan matter.

In summary, enactment of this legislation is in the interests of the United States and would rectify a long-standing injustice to people whose ties with the United States are strong and whose presence here is an asset to our country and our communities. The numbers are small, normal standards for the admission of aliens would not be undercut, and policies favoring the admission of persons with close ties to the United States would be reinforced. I urge you to adopt this legislation now.

Thank you for the opportunity to appear before you today. I would be happy to try to answer any questions you may have.

Senator SIMPSON. Mr. McNamara, please.

STATEMENT OF HON. ROBERT S. McNAMARA, FORMER PRESIDENT, THE WORLD BANK

Mr. MCNAMARA. Mr. Chairman, I am very grateful for the opportunity to appear before your committee this afternoon to indicate my very strong support for S.1998. I submitted a statement to the committee in writing outlining my reasons for favoring the legislation. If that may be inserted in the record at this point, I can save you time by not repeating it orally and devoting myself to answering your questions.

Senator SIMPSON. Without objection, so ordered.

[The prepared statement of Mr. McNamara follows:]

PREPARED STATEMENT OF ROBERT S. MCNAMARA

Mr. Chairman, Members of the Subcommittee, my name is Robert McNamara. It is a great pleasure to be here today to discuss the very serious problems faced by long-term residents of the United States who are staff members of international governmental institutions headquartered here, and by members of their immediate families.

During my thirteen years as President of the World Bank, I became increasingly aware of the hardships facing many career employees of the Bank as a result of our immigration policies. As you know, non-U.S. staff members of the Bank and other international governmental institutions generally hold so-called G-tv visas that entitle them and members of their immediate families to reside in the United States during the staff member's tenure with the organization. Under these visas, neither the staff member nor his family has any permanent right to remain here, regardless of their period of residence.

For some time, the Bank has sought highly educated and competent personnel from abroad, particularly those at the mid-career level, and encouraged them to commit the remainder of their working lives to the Bank's service. In practical terms, this policy means that many staff members and their families reside in the United States for long periods of time. The children grow up here, attend American schools and universities, and become full-fledged members of our society. The staff member and his or her spouse make lives for themselves here as well, participating in

their community and generally becoming active and energetic members of our society.

When I first became President of the Bank, there was sufficient flexibility under our immigration laws to make it relatively easy for the spouses of staff members and their children to convert to permanent resident status, and for the staff member himself to do so upon retirement. By 1977, however, the increasing difficulty of obtaining permanent immigrant visas was having such a serious impact on morale at the Bank and the other international institutions and was so clearly unfair to the individuals involved that it was decided to seek legislation to remedy the problem. The Managing Director of the International Monetary Fund and I, among others, wrote to appropriate officials in the Carter administration to enlist their support. During the 96th Congress, legislation was reported out of Committee in both the House and Senate and was supported by the Administration. Unfortunately, the legislation died unenacted. In the current Congress, legislation has again been introduced, and that Bill is the subject of today's hearing.

I cannot emphasize too strongly the heartache and anguish that the current situation is creating for many families. Children grow up here feeling thoroughly at home, yet have no right to remain permanently. Families are divided, as some children choose to return to a country of origin they hardly know in the hope of finding somewhere to belong. For some, the adjustment has been impossible, and they have returned here to reside indefinitely with their families, encountering great difficulty finding jobs and facing the need to deal with the problem anew when the staff member retires.

The situation of surviving spouses and retirees is equally heartbreaking. When a staff member dies in office, the family has no right to remain in the United States and must leave on very short notice at a time of great bereavement and uncertainty. And for many retirees, the event of retirement triggers exile from a country they have come to know as home, despite the fact that they have ample pension income to sustain them in the United States and are unlikely to become a social burden.

The legislation pending before this Subcommittee is really a last resort for many of these families. The immigration situation has substantially worsened since 1977, and today, I understand, it is virtually impossible for staff members and members of their families to obtain permanent immigrant visas unless they happen to have a close relative who is a United States citizen over the age of 21. For many families, the situation is becoming desperate, and the number of families suffering severe hardships is increasing annually, as children complete their education, and staff members reach retirement age or die prematurely. Action is urgently needed to alleviate these difficulties. Unless it is taken soon, the international institutions will suffer greatly, as staff morale is already affected and recruitment of high quality staff is made more difficult by the present uncertainties.

The pending legislation is a modest solution to a very serious problem for these families and the international institutions involved. It would benefit only long-time residents who have close ties to the United States. The numbers involved are very small, both in absolute terms and in comparison with the other immigration problems this Subcommittee is dealing with. I urge you to take prompt action to enact this legislation.

Thank you very much. At the conclusion of this panel, I would be happy to try to answer any questions you may have.

Senator SIMPSON. Mr. Sommers, do you have any statements you wish to make or enter into the record?

STATEMENT OF DAVIDSON SOMMERS, ESQ., FORMER GENERAL COUNSEL, THE WORLD BANK

Mr. SOMMERS. I would like to ask you, Mr. Chairman, to enter my written statement, and I would like to add a few brief comments to what I have said in that statement.

Senator SIMPSON. Without objection.

Mr. SOMMERS. I think I have two qualifications to talk to you on this subject. In the first place, I believe I have been acquainted with the staff, the employees of the World Bank, the International Monetary Fund, the Inter-American Development Bank, for a longer period than anyone who will testify here today, starting in 1946 and continuing to the present day.

EFFECT ON INSTITUTIONS

Against that background, I am able to say without any qualifications that in private business, in working for various public and private agencies in this country, I have never seen a group of people more highly qualified, more intelligent, more dedicated than the group of people who would be affected by the legislation you have under consideration.

And as Mr. Cutler has said, they are not here by their own individual decisions only. They have been serving institutions which this country played a very large part in creating, in which this country has a large investment, and which this country still supports.

SURVIVING SPOUSES

Second, after retirement from private business and while I was serving as a consultant during the last 9 or 10 years to the World Bank, I was asked by the Bank to consult with wives of staff members who were having various family problems. In that capacity I learned firsthand how the wives and the children of employees of these organizations are affected by the present legislation.

We have heard various words used today and they all are, I assure you, fully accurate: Anxiety, anguish, panic, at various stages in people's lives and at various prospects that confront them.

And I have known widows whose husbands died while in service to these institutions, as you have heard today, sometimes on missions overseas, who have suddenly been faced with a completely new threat to their existence and to the existence of their children. And I have heard of retirees who are most anxious about what kind of life they can lead if they leave this country at age 65 or so, and whether that will separate them from their children, their families, their ties, and from the culture of this country, which they have come to feel is their culture.

I strongly support all the recommendations that you have heard today.

[The prepared statement of Davidson Sommers follows:]

Prepared Statement of Davidson Sommers

Mr. Chairman, Members of the Subcommittee, my name is Davidson Sommers. I am most appreciative of the opportunity to appear before you today to discuss the very serious problems experienced by holders of G-iv visas.

First, a word about my background. I joined the World Bank soon after its inception, serving as its General Counsel and later as Vice President of the Bank, with supervisory authority over personnel among other functions. I left the Bank in 1963 to become General Counsel, and later Chairman of the Board, of the Equitable Life Assurance Society of the United States. Upon my retirement, I returned to Washington, joined a law firm and became a consultant to the Bank. In that capacity I dealt with various Bank matters, including organization and personnel problems. I was asked to make myself available to staff members and their families who wanted to talk confidentially about family matters with someone not on the regular Bank staff. I have thus seen the G-iv problem evolve over the years.

I fully support the provisions of S.1998 dealing with retirees from international institutions. These people should not be required to leave our country after living here for many years in service to causes and institutions which our government supports. I feel the same way about the provisions which would permit their children reaching adulthood to stay in the country where their parents live instead of being required to leave.

However, in view of my rather special experience, I will focus my statement on the problems faced by wives and minor children of G-iv staff. I have seen the anguish, and in some cases the panic, felt by these people when threatened, through no fault of their own, with the prospect of losing their right to stay in this country.

One of my associates and I have counseled with about 50 persons, mostly women, who were threatened with G-iv problems of one kind or another but did not wish to bring these problems directly to Bank officials. Others in similar circumstances were personal acquaintances.

I have been shocked and saddened by the plight of many of these G-iv visa holders. I am especially familiar with the problems faced by separated spouses. Since this is not an area covered by the proposed legislation (although it is related), I will allude to it only briefly. Most people who sought my assistance were women who had been abandoned by their G-iv staff member husbands or threatened with separation or divorce. It is not overstating things to say that most were in a state of desperation, afraid that separation or divorce would result in prompt deportation of themselves, and perhaps their children, since they would no longer be members of the household of an international organization staff m[illegible].

Most of the women who came to see me had lived in the United States for many years. They had raised their children here. Some of their children had been born here. They and their children literally had nowhere else to go where they could feel at home and live the kind of life which they had learned in this country. Clergymen who have counseled these women have come to me and to Bank officials and complained about the situation in which these women and children found themselves.

I am personally aware of other cases of tragedy and hardship involving G-iv staff, similar in essence although differing in cause. You know from other witnesses that a surviving spouse of a G-iv staff member loses his or her right to stay in the United States after the staff member's death. Dependent G-iv children are in the same position.

We should try to imagine what that means. Like other mortals, staff members die, often suddenly and prematurely, and sometimes while on a mission for the international organization. The surviving spouse and family members must cope as best they can with the sudden loss of a loved one, with numerous legal and economic questions, with comforting each other and their friends, and all of the other problems and adjustments that arise in such situations. On top of all that, however, the G-iv family must move to a country they may hardly know, and try to begin a new life. The anxiety and uncertainty that our current policies produce is difficult for us to imagine.

What appears to bother these people most is the feeling of helplessness and lack of control over their own lives. The death of a loved one is hard enough for most of us to cope with. We know how important it is in such situations to maintain as much of a semblance of normal life as one can and to make changes gradually. Our immigration laws do not permit this. Instead, they impose such changes in a harsh and abrupt way.

As an American, I am ashamed of what our policies do to these families. We are not talking here about temporary visitors to our shores. The people who would benefit under S.1998 are long-time residents of the United States, with friends, social ties, property, and investments primarily or exclusively here. The children have usually been educated here, some even born here, and would be at great disadvantage in their original home countries. The deceased spouses and parents have performed useful services in institutions which our country played a large part in creating.

The cost in human terms to these families is very great. There are also potential costs to the institutions -- for example, difficulty in recruiting the most capable people. And there is an ultimate cost to our pride as Americans.

Our treatment of these people is not in the great American tradition. I urge you to approve the modest steps contemplated by the proposed legislation to avoid further hardships in these cases.

Thank you for permitting me to join you this afternoon. I would be happy to try to answer any questions you may have.

Senator SIMPSON. I thank you very much, sir. If any of you as members of the panel wish to respond to these few questions, please do so. I will just ask them of the panel. Then I will direct other questions individually to each of you.

I would be very interested, and the members of the subcommittee would also, as to the reason that staff and family members did not convert to permanent immigrant status years ago, when such visas were readily available. Did it have anything to do with the policies of the institutions which they ably represented? Did it have to do with taxation of salaries and other perquisites of office? I would be interested in having your views.

REASONS FOR NOT CONVERTING EARLIER

Mr. CUTLER. It had nothing to do with the taxation of salaries, Senator Simpson. As you know, the salaries of the non-Americans are exempt. The salaries of Americans, had they become American citizens, get "grossed up" so that in effect the salary of a staff member is one that is net of tax.

It had to do primarily with two factors: One was that permanent immigrant status was relatively easy to obtain when one needed it, for example when you retired or, in the case of your children, when they reached maturity and were leaving home; and second, that the agencies themselves, necessarily anxious to preserve a balance between Americans and non-Americans on their staffs, did not wish to have the non-Americans convert to U.S. residence, leading to citizenship, at a time when they were still active staff members.

In the light of the developments in the law over the last 4 or 5 years that have made it much harder to change to permanent residence status when one wished, the World Bank, for example, has altered its policy so that within the 5 years preceding expected retirement one can apply for a change in status. But it is very, very difficult to achieve a change in status today, for the reasons that I tried to outline in my earlier statement.

I think the subcommittee staff would agree, and the Immigration and Naturalization Service would agree, that it would be very hard for any staff members trying in the last 5 years to achieve permanent resident status in the United States to have obtained it.

Mr. SOMMERS. If I may add to that, sir.

Senator SIMPSON. Please, Mr. Sommers.

Mr. SOMMERS. That change to permit people to apply for permanent residence within 5 years of retirement does nothing at all to help in the case of sudden death, nor does it help in many other cases of children.

Senator SIMPSON. Again, does that apply also to spouses, what you are just relating to me?

Mr. CUTLER. I believe the policies of the institutions did apply to spouses.

Mr. MCNAMARA. Yes. I can answer that, Mr. Chairman. It applied to all members of the family. It was the policy of the institutions, not just the World Bank but I believe the others as well, to encourage our employees to retain their citizenship in the country of origin.

I might say, I think it was probably a wrong policy, given the problems that they are now facing under G-iv status.

Mr. CUTLER. But it was done at a time when everyone had reason to believe that when you needed a change in status you could achieve it.

Senator SIMPSON. Could you just amplify a bit your comments on the problems that the current situation is apparently creating for the international institutions?

EFFECT ON INSTITUTION

Mr. MCNAMARA. Yes. Let me speak to that, Mr. Chairman. Let me digress a moment to say that I am sure members of the committee will be influenced by feelings of compassion, as certainly I and my colleagues are.

But I suggest you put compassion aside for the moment and consider this legislation only in terms of the interest of the United States. And I want to submit to you that in those terms, without any regard to the impact on the lives of the people, the children, the wives, the employees, solely in terms of the interests of the United States, the legislation is long overdue.

Now, let me tell you just a little bit about the impact on the employees. My wife, along with one other, started an organization known as Wives in the Bank to deal with the human problems of our employees, and they are very many, not all of them by any means the result of G-iv status, but as I learned from becoming familiar with the organization a very high percentage of them deriving from G-iv status.

In case after case, the only solution to the family problem was to terminate the employment of the employee of the Bank, and that forced the Bank to incur a very heavy penalty indeed. These employees are highly qualified.

Most of them have been recruited—and this I think is not widely known—in midcareer. They come as professionals, having demonstrated their professional capacity, in their country of origin in positions of responsibility. They come at age 40 or more with a wife and young children.

And it is very much in the interest of the Bank, and therefore very much in the interest of the United States. I might add, by the way, that the Bank is financed in the U.S. capital market and there are billions of dollars of U.S. capital at risk in that institu-

tion. Apart from the necessity of maintaining its function as advisor to the economies of the developing countries, it is very much in the interest of the U.S. financial markets to maintain high standards of operation in that institution, and to do so we need people of the highest possible qualification, the kind that Mr. Cutler indicated we have.

And in case after case we have had to recognize they must leave. We have reluctantly accepted their resignation because we could not give them the assurance they needed to maintain their families in this country.

I have sought many high-quality individuals myself. I have negotiated with them. And I guess I have lost 25 percent of those I wished to hire because I could not guarantee them that their children could be educated in this country if they were to be here during the formative years and then have the opportunity to stay here if they wished to.

That applies particularly to nationals from such countries as Japan, but it applies to others as well where a secondary education outside the country of origin almost disqualifies them from first-class university attendance in their country or origin. And as I say, I could give you the names of perhaps a quarter of the people I have tried to recruit who have turned me down for that reason alone.

And I hesitate to mention this case, but I want to show you the kinds of problems we have. In one particular situation, one of my vice presidents, who is a very, very important individual in the organization, insisted he had to return to his country of origin because he was getting close to retirement and he would be ineligible for citizenship in this country. He was on G–iv status and he regretfully submitted his resignation.

There was such a penalty at the institution, I went so far as to sponsor and support and finally help him obtain a special bill before the Congress to give him special citizenship. I do not think that is the way to deal with the problem.

Senator SIMPSON. I was interested and I guess I am curious. Perhaps you could help me. Is it part of the usual international organization's policies that if a person on G–iv seeks adjustment in status that somehow their citizenship is in question?

Were they fearful that if they adjusted status that their citizenship was in some jeopardy.

Mr. MCNAMARA. No. If I left that impression, I did not mean to.

Senator SIMPSON. OK.

Mr. MCNAMARA. It is a problem of policy in the organization. The policy in the World Bank up until 1975 was to discourage individuals from moving out of G–iv status.

Senator SIMPSON. Because they wanted to keep the internationalized characters of the organization?

Mr. MCNAMARA. Yes, exactly.

Senator SIMPSON. And not out of a concern that the status would be lessened?

Mr. MCNAMARA. No, no, no.

Senator SIMPSON. Because you know, our green card holders do not lose any status.

Mr. MCNAMARA. No, no, not at all.

Senator SIMPSON. OK. That is helpful. I am glad I got that cleared up.

Let me ask you, since you are speaking to these issues, Mr. McNamara, and then some questions for Mr. Cutler and Mr. Sommers.

In your testimony you state that until 1977 it was relatively easy for a World Bank staff member to convert to permanent resident status upon retirement. Perhaps you have already answered this question, but if not I would want it in the record. The record is going to be very helpful over in the House if they pursue it, and I think they will because they have been interested in it. They have been very helpful in this process. This was pulled out of the efficiency bill and we are trying desperately with staffs of the House and the Senate to hammer something together that will float in both Houses, and that is what we are up to.

But why did such persons wait until retirement to adjust? Could you respond? And you may have already.

REASONS FOR NOT CONVERTING EARLIER

Mr. MCNAMARA. I think I have. They waited until retirement to adjust for two reasons. One, because it was the policy of the institution, not the requirement but the policy of the institution, to urge them to wait; and the other was that there was no reason to apply earlier, particularly if they were violating a policy of the institution, because in those earlier years it was relatively easy at the time of application to shift status from G–iv to special immigrant.

Mr. CUTLER. I want to emphasize, there was no tax advantage to one side or the other.

Senator SIMPSON. I heard that. I wanted to make sure the record discloses that was not an aspect of it, and you addressed that previously.

Mr. SOMMERS. One further aspect of that, Senator. I think in the early days people did not realize the effect of 10 or 15 years of residence in this country on their attitude towards its culture, and particularly the advantages and the disadvantages to the children of having to move elsewhere.

Senator SIMPSON. In your testimony, Mr. Cutler, you state that many institutions have required non-U.S. staff members to remain in or assume G–iv status. And you have already made some comments on that.

How have they, the various international organizations, enforced such a requirement, and why have they imposed such a requirement? Could you share a bit more on that? I guess my point here is, the equity of the G–iv employee is obviously stronger if he has not chosen freely to remain in G–iv status.

Could you share with me some of your thoughts on that?

Mr. CUTLER. Well, I think Mr. McNamara and Mr. Sommers have covered the answer, certainly from the standpoint of the World Bank, which is typical.

Senator SIMPSON. Is it typical of the other international organizations?

Mr. CUTLER. I believe it is, yes. And it is partly that it is in the charter of every one of these institutions, which we signed and

helped draft, that in recruiting personnel they are to pay attention to the distribution of those personnel among the nationalities of the various member States.

It is a jealously guarded prerogative of the various member States to see their nationals who are qualified employed within specified percentages, although there is wide discretion to the President of the Bank. For nationals of other states to be recruited and then to acquire permanent residence status here, which also qualifies them to accept citizenship while they were in midcareer, tended to diminish the multinational quality of the Bank and the distribution of the staff among its members.

Moreover, it was not necessary because, as I said earlier, in almost every case until about 1975, when resident status here became desirable upon termination of your service, retirement or some such thing, or even the need to keep your children here, that could be accomplished much more easily under the pre-1975 law than the laws that exist today.

Once the law changed and it became clear it was going to be very difficult, the institutions also changed, and, for example, the World Bank now allows staff members within five years of retirement to apply for permanent status.

Senator SIMPSON. You state too that the admission of G-iv visa holders as permanent residents or permanent immigrants would not take away opportunities from others, since they would be admitted outside of the numerical limits. What if that were not the case? What if we had a proceeding or procedure where each G-iv visa holder who actually adjusts to permanent resident status would cause the annual ceiling and the per country ceiling for his country of origin to be each reduced by one?

Mr. CUTLER. I would think that is a policy matter for the Congress, Mr. Chairman.

Senator SIMPSON. Yes. Would you still support the legislation if that were to take place?

Mr. CUTLER. Oh, most certainly.

U.S. NATIONAL INTEREST

Mr. MCNAMARA. Mr. Chairman, may I add to that? It is certainly a policy matter for the Congress. I do not mean to impinge on Congressional prerogatives, but as one who was responsible for managing the Bank for 13 years I want to say to you that the quality of the employees at that Bank, which I think is higher than any other human institution I know of—and I am not just boasting now. I think I know many comparable institutions, public and private, and the quality of the professionals there and nonprofessionals is higher than any other institution I know of on average.

Maintaining that quality is very much in the U.S. interest, and therefore I myself would strongly recommend enactment of S. 1998 even if every one of those who were allowed to shift out of G-iv visa status resulted in a reduction in the quota of his country of origin.

Mr. CUTLER. It is a de minimis number of people, anyway, compared to the quotas.

Mr. McNAMARA. It is very small in numbers, but it is very important to the United States and the strength of the institutions.

Senator SIMPSON. That is very helpful.

I hate to come to numbers, but somebody always drags us back to numbers. We find it not only with undocumented, but with refugees, caps and limits and so on.

If I could ask each of you for your estimates—we have the estimate of 11,000 and I understand that, but there was a question as to whether that was employees or whether that was family members and all possible beneficiaries.

NUMBERS AFFECTED

Mr. CUTLER. My understanding is that number is the approximate number of staff members, employees of the international organizations in the United States. The families, including wives and dependent children, might be another 15,000 or so.

Senator SIMPSON. That is what I am wondering, yes, that figure for the record.

Mr. CUTLER. But that is the total pool, out of which much smaller numbers would become eligible, and they would only become eligible at a rate of less than 500 per year.

Senator SIMPSON. Shall we call that all family members and all possible beneficiaries of this legislation?

Mr. CUTLER. That is my understanding.

Senator SIMPSON. Is that what we should refer to?

Mr. CUTLER. Ultimately possible.

REASONS FOR NOT CONVERTING EARLIER

Senator SIMPSON. Yes. Let me be certain that the record discloses, Mr. Cutler, your comment about the current policy. Do you say that the policy is now that employees may seek adjustment within five years of retirement?

Mr. CUTLER. Of anticipated retirement. That is true of the World Bank, Mr. Chairman, and if it is different in the other institutions we will submit that for the record.

OTHER COUNTRIES

Senator SIMPSON. OK. Let me ask, because in your written testimony you describe some of the practices of the Swiss in this area——

Mr. CUTLER. Yes.

Senator SIMPSON. I believe you indicated that adult children there are granted these permits if they have lived in Switzerland for at least 12 years, including the 5 years immediately preceding issuance. You state in your oral commentary that virtually all countries have provisions such as this. And yet we at the subcommittee level are advised that most of those are for shorter time periods.

Where are we? The Mathias proposed bill, has a minimum of 7 years United States residence in the aggregate. And yet the Swiss have 12. I would like to know if you are aware of the time requirements with those other countries?

Mr. CUTLER. Yes; we are, Mr. Chairman. We have made a study of this and I do have the details, and I will submit them for the record.

But let me just do Switzerland quickly for you. In Switzerland you get an establishment permit, which is the same as permanent resident status, if you have lived there for 10 years, including the 5-year period immediately prior to retirement. That is shorter than our proposed 15 years for the retiree himself.

Moreover, in Switzerland staff members retiring at 65 for men or 60 for women have to satisfy only the 5-year requirement. So in Switzerland if you retire at age 65 and you have been there the 5 preceding years, you are entitled to the permanent residence permit.

Children get that permit if they have lived in Switzerland for at least 12 years, including the 5 years immediately preceding issuance of the permit. But they waive those time requirements for people who have close family ties to Swiss nationals.

The other countries, like France and Britain, have somewhat shorter periods. In fact, in Britain if you work for an international organization you can almost automatically stay once you leave the organization's employ, and the same thing is true for spouses and children if they have been with the staff member for 5 years.

And may we submit the details for the record?

Senator SIMPSON. Please, if you would, because that becomes an important consideration as to what other countries do in this area.

Mr. CUTLER. We do not have citations. We have citations to some of the foreign regulations, but most of this is based on a recent survey that we ourselves made.

Senator SIMPSON. As I say, it certainly is not controlling, but it would be of interest to the subcommittee and be helpful.

[The material referred to follows:]

AUSTRIA

Austria is the host country to the International Atomic Energy Organization, the Organization of Petroleum Exporting Countries, and the United Nations International Development Organization (UNIDO). According to Austrian sources, retirees from the employment of such international organizations are normally granted residence permits, provided they can demonstrate financial independence. The situation of dependents is less clear. Austrian law establishes rules with respect to the employment of foreigners that limit the rights of dependents to work except under certain conditions. However, Austrian officials have the authority to intervene in hardship cases and to make exceptions without legislative approval. Under this authority, children may in fact be able to remain.

[Rough translation]

To: Heinrich G. Schneider, Alternate Executive Director.

Subject: Austrian legal situation and administrative practice concerning residence permits for retired staff of international organizations and labor certification for dependents of such staff.

DEAR DR. SCHNEIDER: Referring to your telex of April 28, 1981 we can tell you the following. For the issues referred to above the headquarters agreements between the Republic of Austria and the IAEO, the OPEC, as well as the UNIDO can be taken as examples.

(1) On residence permits for former employees of international organizations who do not have Austrian citizenship: The bases for judging these are the Police Law on Foreigners, BGB1 No. 75 1954, and the Passport Law, BGB1 No. 422 1969, as amended by BGB1 No. 510 1974, and BGB1 No. 335 1979. In Austria such requests for permanent residence permits are normally granted because in these cases primarily

the financial independence of the petitioner is controlled and this normally is assured through his retirement benefits (reference to sources).

(2) To the question of labor certification of dependents of non-Austrian employees of international organizations in Austria: Here the law on the employment of foreigners, BGB1 No. 218 1975, also attached, forms the legal basis. According to section 1, paragraph 4, of this law the Federal Minister for Social Administration can order exceptions that go further than the law. This has not been done with respect to the dependents of staff of UN organizations. Hence, the conditions stipulated in the law for a labor certification must be fulfilled. These petitions are, indeed, only rarely granted by the administration, notably with respect to the present labor market situation in Austria. If there is a positive decision this is often only the case after "intervention" (reference to sources).

Sincerely,

———— ————,

Austrian National Bank,
Legal Department.

CANADA

Representatives of the ICAO have provided the following specifics with respect to the granting of resident status to ICAO retirees and spouses of deceased staff members:

With respect to the granting of resident status ("landed immigrant status") to retired staff members of ICAO or to widows of the staff members, there is no special legislation or regulation in force. However, the existing Immigration Act and regulations issued for its implementation provide a very satisfactory base and the ICAO Secretariat is not aware of one single incident when a request for permanent residence after retirement from ICAO services would be denied. The applicants have to meet the basic requirements of the Immigration Act—the application has to be made outside the territory of Canada (e.g. Boston or New York), a health certificate is to be provided to prove that the applicant does not belong to any of the prohibited classes and applicant has to show that he/she will have sufficient means of support and would not become a public charge. To the best of my knowledge, a large number of ICAO retirees, in particular those served for a long period in Canada and brought up their children there, choose, to settle for their retirement in Canada and they face no difficulties. Obviously, their pension from the UN Joint Staff Pension Fund and any other income become taxable and that follows clearly from Section 24 of the Headquarters Agreement between the Organization and the Government of Canada.

FRANCE

The following is a summary of what we understand to be the current French practice:

France: Immigration Status of Non-French International Civil Servants up on Retirement and Status of Their Surviving Spouses and Their Children Reaching Adult Age

2. The basic principle regulating the status of the three categories of persons mentioned above in France upon the severance of their link with an international organization (through retirement) or with a staff member of any international organization (through the death of the staff member or the termination to dependant status of a child is that they fall under the general laws regarding foreigners. Their former link with an international organization or a staff member of such an organization does not give them any legal right to stay or work in the country. However, the laws applicable to foreigners do allow them to do so under certain conditions.

3. Retirees of surviving spouses who have sufficient income from their organization pension of from other sources may apply for resident permits in France. OECD assists its retirees in obtaining there permits by requesting from the French Ministry of External Relations a statement identifying the would-be retirees as such to the Ministry of the Interior, which the general jurisdiction over foreigners. Retirees have no legal right to residency permits. Howeve:, it appears, that they are given to them on a routine basis. The only possible exception mentioned to me would concern individuals who further stay in France would be deemed by French authorities to constitute a threat to public order. The permits are given in the following sequence:

(a) temporary stay permit (valid one year) (carte de séjour temporaire);

(b) ordinary resident permit (valid three years, renewable) carte de résident ordinaire); and

(c) privileged resident permit (valid ten years, renewable as a matter of right except in limited specific cases) (carte de résident privilégié).

Nationals of countries of the European Economic Community (EEC) receive a special permit valid for five years and renewable for periods of ten years, provided the applicant has resided continuously in France for the three preceding years.

(4) These various resident permits do not give any right to salaried employment. This requires a work permit (carte de travail) which is now difficult to obtain, except for certain categories of persons, such as nationals of other EEC countries, of Algeria and of most African countries formerly part of the French community. The right to employment for these categories of persons varies considerably depending on whether the persons are nationals of the EEC member countries or of the other countries referred to above.

(5) In certain cases, a retiree, spouse or child could obtain French citizenship relatively quickly and, as a result, would not need a work permit in order to work in France. The basic requirements for obtaining French citizenship are "assimilation into the French community" (Article 69 of the French Code of Nationality) and age (one must be 18 or more (Article 66)). Assimilation is evidenced, inter alia, by knowledge of the French language (Article 69) and residence in France during the five years preceding the application for naturalization (Article 62). In a number of cases, the five years residence requirement is reduced or waived. It is reduced to two years for persons who have completed two years of successful study at a French institution of higher learning for purpose of obtaining a French degree or diploma (Article 63(1)). It is waived for the spouse and children of a person acquiring French citizenship (Article 64(2)), for the father or mother of three children under 18 (Article 64(3)) and for persons "belonging to the French cultural and linguistic entity when they are citizens of territories or states in which French is the, or one of the, official languages and when French is their mother tongue" (Article 64(1)). There are other requirements, relating to criminal records, health, etc., which would not normally affect the categories of persons considered here.

(6) The granting of French citizenship to the categories of persons described above is subject to the discretionary powers of the government. However, children born in France of two foreign parents, who have resided in France during the five years prior to reaching the age of 18 and are still residing in France at that time automatically become French citizens unless they formally renounce French nationality within the year preceding their 18th birthday or unless the government, by decree, opposes their acquisition of French nationality (Article 44). For this purpose, residence in France as a staff member of an international organization or as a member of his or her family would be counted as residence. Residence in this context is a "pure question of fact" (Instruction of the Minister of Justice dated April 20, 1959, on the issuance of certificates of French nationality, paragraphs 48 and 49, quoted in Lagarde, La Nationalité Francaise, Paris, Dalloz, 1975, p. 352). It is also appears that the same interpretation of the residence requirement would apply in all other cases where residence is a condition of naturalization, including those mentioned in paragraph 5, above (see Lagarde, op cit, p. 118). Children meeting the conditions of Article 44 may request naturalization before the age of 18, with the assistance of their legal guardian (Articles 52–54).

SWITZERLAND

Swiss immigration officials have broad discretion in handling immigration applications, and requests for residence permits are handled on a case-by-case basis. Swiss authorities have established long-standing and consistent practices with respect to the handling of applications of international civil servants based in Switzerland and members of their immediate families. This practice has been formally codified in Circular No. 19/67, dated July 19, 1967, of the Federal Aliens Police, a copy of which is appended.

The Circular establishes guidelines for the granting of "establishment permits" (the Swiss equivalent of permanent immigrant visas). Retiring staff members are given an "establishment permit" if they have lived in Switzerland for 10 years, including the five-year period immediately prior to retirement. Staff members retiring at 65 (men) or 60 (women) must satisfy only the five-year requirement. Adult children are generally given an "establishment permit" if they have lived in Switzerland for at least 12 years, including the five years immediately preceding issuance of the permit. The time limits for both categories may be waived for persons having

close family ties to Swiss nationals. We understand that similar policies govern applications by surviving and divorced spouses of international organization employees.

An "establishment permit" entitles a foreigner to reside indefinitely in Switzerland and to work there, but does not automatically entitle the holder to citizenship. Individuals who do not satisfy the criteria for an "establishment permit" are eligible for a "residence permit" that entitles them to remain for a limited period (generally one year). Such permits may be renewable, however, and may carry with them the right to work.

A Swiss immigration official has provided the following information on their practices to a U.S.-based international civil servant.

Switzerland: Immigration Status of Staff Members of Public International Organizations in Switzerland upon Retirement and of Surviving Spouses and Adult Children of such Staff.

OFE is the federal authority responsible, directly or through the respective cantonal authorities, for the application of the federal legislation regarding the admission of aliens into Switzerland. Its jurisdiction includes the admission of staff members of public international organizations in Switzerland upon retirement and of surviving spouses and adult children of such staff. (The Federal Department of Foreign Affairs, through its Permanent Mission to the UN in Geneva, is responsible for the admission of employees of such organizations and their dependents.)

(2) Mr. explained the Swiss law and practice in this matter and furnished copies of the relevant legislation and regulations. As expected, his explanations confirmed that there is indeed no contradiction between the general description of Swiss practice in this matter set forth in the statement of the IMF's Geneva office and the contention that no retiring staff member, nor any surviving spouse or adult child of an employee of an international organization has any legal right or claim to be given a residence or work permit in Switzerland. In fact, the IMF statement says so itself. As correctly pointed out there also, the ordinary laws and regulations regarding residence and work by aliens in Switzerland apply to these categories of persons. One of the most fundamental principles of Swiss immigration law is that the granting of a permit to reside and work in Switzerland to a foreigner generally is at the discretion of the authorities; the law and a number of bilateral treaties provide only a limited number of specific exceptions to this general rule.[1]

(3) However, the Swiss authorities have established a long-standing and consistent practice as to how this discretionary power is to be applied in the case of the categories of foreigners here under consideration. As regards retirees and adult children, this practice has been codified in Circular No. 19/67 of the Federal Aliens Police ("Police fédérale des étrangers", the old name of OFE) to the cantonal police authorities, dated July 19, 1967. An English translation is attached hereto. While the Circular is an internal document of the Swiss authorities and does not give any rights to any foreigner, Mr. confirmed to me that the principles laid down in the Circular have been consistently followed in practice. He also told me that, notwithstanding its internal character, the Circular may be shown by us to other parties.

(4) The rules laid down in the Circular can be summarized as follows:

(a) adult children of staff members of public international organizations in Switzerland are given an establishment permit, if they have lived in Switzerland at least twelve years, including a consecutive period of five years immediately prior to the issuance of the permit;

(b) retiring staff members of such organizations are given an establishment permit, if they have lived in Switzerland at least ten years, including a consecutive period of five years immediately prior to retirement (in case of retirement at the age of 65 for men and 60 for women, this last five year period is the only requirement); and

(c) in the case of persons with close ties to Switzerland (such as marriage to Swiss women, or Swiss ancestors) establishment permits can be issued even if the above criteria are not satisfied.

(5) I understand from Mr. that a similar practice is being followed by the Swiss authorities as regards the treatment of surviving (or, for that matter, divorced) spouses of the employees of public international organizations in Switzer-

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[1] Cf. art. 4 of the Federal law regarding the residence and establishment of aliens of March 26, 1931, which says that the authorities have the discretionary power to decide, within the framework of the legislative provisions and the treaties with other countries, about the authorization of the residence, establishment or toleration—the three basic forms of permits for foreigners to stay in Switzerland provided by law—of aliens.

land; but this practice has not been laid down in a formal way as for the two categories of persons covered by the Circular referred to above. However, Mr. told me that OFE is prepared to confirm this practice as regards surviving spouses in writing, to us, if we send them a request. Such a letter is currently being prepared.

(6) In order to explain this Swiss practice fully, it should be noted that the establishment permit ("permis d'établissement") is the most favorable status for an alien in Switzerland. It entitles a foreigner to reside indefinitely in Switzerland—subject to certain grounds of revocation defined by law—and to work there. Foreigners who do not qualify for an establishment permit may be given a residence permit ("permis de séjour") of limited duration (normally one year), but which can be renewed. Immigration regulations limit the number of such permits which may be issued to new immigrants for purposes of working in Switzerland. They also provide, however, that for humanitarian reasons and with the approval of OFE, foreigners may be given such an annual permit not subject to these quotas.[2] As to the authorization for aliens to reside in Switzerland without working, immigration regulations provide that such permits are normally only granted to retired persons above the age of 60; but exceptions can be made.

(7) In explaining the Swiss practice regarding the admission of staff members of international organziations upon retirement and of surviving spouses and adult children of the employees of such organizations, Mr. pointed out that where the conditions laid down in practice for the issuance of an establishment permit, as described above, are not met, the Swiss authorities can and do in appropriate cases allow such persons to stay in Switzerland by issuing a residence permit, with or without the right to work depending on the circumstances. In this context, he referred particularly to the above-mentioned provision regarding admission for humanitarian reasons. Mr. further stressed that the guiding principle in all these cases is that each individual situation is examined on its merits, the decisive criterion being whether the persons concerned have established ties to Switzerland.

[Circular]

To: Cantonal Aliens Police Authorities.
From: Federal Aliens Police.
Subject: Treatment of children of international officials and of retired international officials.

In conjunction with the Federal Political Department[1] and the Geneva Aliens Police, we have reviewed the conditions under which the children of international officials employed by international organizations having their headquarters in Switzerland and retired international officials of these organizations can be granted an establishment permit [permission to reside permanently in Switzerland, *"autorisation d'etablissement."*]

A memorandum setting out the results of this review is attached.

When dealing with cases of this type, you are requested to follow, until further notice, the principles set forth in this memorandum. These are provisional guidelines which we may subsequently find it necessary to reconsider in the light of experience. We will, moreover, have to reexamine these matters once the final version of the international convention now being prepared to regulate the legal status of international officials is available.

———— ————,
Acting Director, Federal Aliens Police.

[Memorandum]

The conference reached the following conclusions regarding the children of international officials:

That the children of international officials are subject to the provisions of ordinary law in respect of aliens from the moment they no longer reside in their parents' household, or exercise a gainful activity or become of age;

That exceptions are made in practice in respect of adult children not exercising any gainful activity and residing in their parents' household especially students;

That applications for the residence or establishment permits they need to continue to live and work in Switzerland where their family and personal interests are centered normally receive favorable consideration; that preparatory work is current-

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[1] *T.N.:* Now known as the Federal Department of Foreign Affairs.

ly under way to define the legal status of international officials, to be governed by a new international convention (Vienna III);

That applications for the granting in advance of establishment permits should be considered with flexibility, i.e. with due consideration of the special situation of the applicants, but without prejudicing the provisions of Vienna III or creating rights that could be invoked on grounds of non-discrimination.

It was agreed that the following principles would be applied in practice:

(a) The length of residence prior to the issue of the first permit will be taken into consideration for the granting of the establishment permit. As a general rule, applications can be considered if the applicant has lived more than twelve years in Switzerland, of which at least the last five must have been consecutive.

(b) An establishment permit may be granted earlier than specified in (a) above, if the applicant has special ties with Switzerland (married to a Swiss woman, or Swiss ancestors). The date from which the permit will be granted under those conditions will be determined from case to case in the light of each individual applicant's circumstances.

(c) Decisions concerning nationals of distant countries and of East Bloc countries will remain reserved.

Regarding retired international officials, it was agreed that applications for establishment permits could be favorably considered, in view of the ties such persons have developed with our country through their employment with international organizations headquartered in Switzerland. The following principles will apply:

(a) Men retiring at age 65 and women retiring at age 60 will be granted establishment permits if they have lived in Switzerland for the five years preceding their retirement.

(b) Officials who retire before they reach the above-mentioned ages will be granted establishment permits if they have lived in Switzerland for ten years, including five consecutive years before their retirement.

(c) These requirements may be waived if the applicant has special ties with Switzerland (married to a Swiss woman, or Swiss ancestors).

UNITED KINGDOM

Staff members of the international organizations headquartered in London are generally hired on a contract basis. Because such staff members must have a valid work permit in order to work for the international organization, there is no problem if they wish to stay on once they leave the international organization's employ. We understand that spouses and children who have resided with the staff member for five years are also entitled to remain. More specific information is unavailable.

Mr. CUTLER. I think it is fair to say that the United States is the only major host country for international organizations where this is a problem. Every place else the retiring staff member, the spouse and the children can stay on.

INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT

Senator SIMPSON. Yes. And for the record, you state that the legislation applies only to employees of international organizations that meet the requirements of the International Organizations Immunities Act. And would you for the record please describe that act and the requirement, briefly?

Mr. CUTLER. That is in one of the statutes passed as a result of the creation of the international organizations, as approved by Congress in each case, going back to the late 1940's and the early 1950's. And we have submitted to you, I believe, a list of all of the organizations that are affected. It is a relatively small number, including the Bank, the Fund, the Organization of American States, the Inter-American Bank, the Inter-American Defense Board, Intelsat and one or two others and the United Nations.

[The following information was submitted for the record:]

The International Organizations Immunities Act, Act of December 29, 1945, c. 652, Title I, 59 Stat. 669, is codified at 22 U.S.C. §§ 288 to 288f-2 (1976 & Supp. III). 22 U.S.C. § 288 provides that the President shall designate by Executive Order the organizations entitled to enjoy the privileges, exemptions and immunities provided under the Act. The organizations that have been so designated are listed in a note to 22 U.S.C. § 288 (1976 & Supp. III).

Senator SIMPSON. And the requirements are simply the ones that you previously placed in the record?

Mr. CUTLER. That is correct.

Senator SIMPSON. Just a couple of more questions. I appreciate your forbearance, but we will have something to go on here when we are finished.

Senator Mathias' bill provides that a G-iv son or daughter would qualify for "special immigrant status" if he has resided in the United States for an aggregate period of 10 years before the age of 26. This would mean that someone who had spent his or her entire elementary and high school years in his homeland, his or her homeland, but might have accumulated 10 years in the United States in his preschool or college years would qualify.

Would that person have as much difficulty adjusting to life in his or her home country as someone who had spent most of his school years here?

CHILDREN

Mr. CUTLER. Mr. Chairman, one can always argue about numbers. But the key requirement of the bill is that 7 years between 5 and 21 be spent here, which is roughly half of your time in school. That is a period that is very comparable to the rules that apply in most other countries. The 10-year-requirement was designed to take care of teenage children who may not qualify under the 7-year-test but who spend their high school and college years here and are not qualified for the job market in their home country. The information available to United States indicates that only a handful of children fell into this category.

And as you know, these bills have a history. There have been several of these bills, and for unmarried children the ranges have been as low as 5 years for the bill you reported out last year to 7 years in Senator Mathias' original bill to 12 years in the House bill. We think these are reasonable numbers that we have proposed here. Whether it is 1 year in one direction or the other, one could readily argue about that, I suppose.

Senator SIMPSON. Senator Mathias' bill also provides for this nonimmigrant status for employees who had spent 10 years in the United States. That would enable such individuals to stay indefinitely in the United States.

My question is, would an employee who had spent the years of life between 55 and 65 years of age have this difficulty in returning home?

RETIREES

Mr. CUTLER. Again, I would say that 10 years, 10 to 15 years certainly, is the standard in every other country. Switzerland, as I indicated, was only 5 years. If you came at 60 and retired at 65, you could have permanent status in Switzerland.

Incidentally, Senator Mathias' bill is 10 years for this so-called nonimmigrant status, which allows you to stay but not to become a citizen, but 15 years to acquire the permanent status that entitles you to apply for citizenship.

The important thing, though, Senator, is this question of splitting families. It is not simply a question of whether the staff member could reassimilate in his native country. It is also that his childen may have decided to settle here, and you then have the problem of split families.

It is certainly a part of our immigration law policy, as you pointed out earlier today, that we want to enable the families to stay together if we can. And even when one individual comes to the United States, over time, if he acquires permanent status, he can bring in the other members of his family. I should think we certainly do not want to split families by setting different rules which make it necessary for the retiring staff member or the mother, the widow or the spouse to return when the children are still here and making their lives here.

Senator SIMPSON. I think it is very important to stick with what you say, Mr. McNamara. I think it does not serve the best interests of the legislation to speak necessarily about hardship, because in a sense those on the other side of the issue see this as a very privileged group.

I just want to get that out. I do not like to leave stuff laying under the table. And we have to do that in all of the hearings we have, because the issue of immigration reform quickly goes into areas of guilt and racism, and I just refuse to let it slip into that maw. This one slips into a reference that this is a very privileged group and we must be very careful, and so on.

So that is important, I think, because you know, there are millions and millions abroad who would wish to come to the United States, but cannot qualify under normal immigration channels, and yet face much greater hardships upon a return to their country than anyone would ever face as a G-iv person returning to their country. I just want to be sure that that is addressed and that at least we recognize that as we deal with this issue.

I thank you very much. You have been very helpful. Do you have anything you would wish to add to the record?

Mr. CUTLER. Your last advice was very good, Senator, and we will take it to heart in our future advocacy.

U.S. NATIONAL INTEREST

Mr. MCNAMARA. I want to underline again what I said before, Mr. Chairman, because I strongly agree with you. Compassion influences you, I am sure. I hope it influences me in this case. But putting all that aside, this is in the U.S. narrow national interest. We need those people in those institutions to protect the U.S. interest in those institutions, and that ought to be the basis by which the Congress approves the bill, as I hope they will.

Senator SIMPSON. Well, your testimony has been very important to us. And seeing those young people who testified and hearing their intentions in life and their goals. We will address the issue, I

can promise you that. And I thank you. I hope we will do it in a compassionate way. Thank you so much.

Mr. McNAMARA. Thank you, Mr. Chairman.

Senator SIMPSON. And that will conclude the hearing. Thank you very much.

[Whereupon, at 3.45 p.m., the meeting was adjourned.]

APPENDIX

EXAMPLES OF HARDSHIP FACED BY G-IV VISA HOLDERS [1]

EXAMPLES OF DIFFICULTY FACED BY CHILDREN OF G-IV STAFF MEMBERS

As a New Zealander who took up an appointment with the International Monetary Fund in 1962, when my three children were aged 7, 5, and 1, I was delighted to learn of Representative Harris' Bill and of the possibility of your introducing the same Bill in the U.S. Senate. My younger son has just graduated from Walter Johnson High School in Bethesda and plans to study agriculture at the University of Maryland. Except for five of his eighteen years, when he was at boarding school in New Zealand, he has grown up here and I very much hope he will not have to face the problems his elder brother and sister confronted when they reached adulthood.

Moreover, many of the children are not fitted to return to their own countries, even if they have relatives still alive there. In my own case—I am a U.K. citizen working for the International Monetary Fund—my daughter, who came to the United States at age 9 and has spent 9 years in Montgomery County public schools with almost straight "A"s was not accepted by any U.K. university because of the incompatibility between programs in the U.S. high schools and those in the secondary schools of the United Kingdom. Nevertheless, she was accepted by Cornell, Oberlin, University of Michigan (Honors School) and Reed at Portland, Oregon, where she is now a senior. The plight of a colleague—an Egyptian—is even worse. The daughter could not be sent back to Egypt unless she undertakes to remain in the home of a near relative, which would imply not doing most of the things she has learned to consider part of a normal way of life in the United States. The position of children who have a clear idea of what they want to do in life, but who do not wish to go to college is even worse because they must either leave, or live in enforced idleness when they leave school at 17 or 18.

I am an Australian working for the World Bank in Washington on a G(iv) visa for the past 12 years. My children, now aged from 12 to 20 years, have grown up here and are very much attached to the U.S.A. However, they are now facing a very difficult situation due to the existing G(iv) regulations which restricts them from remaining here after their education is completed except under very restricted circumstances.

Our son has spent his entire life with the exception of the first two years in the United States. Finland has universal draft, and in order to be able to finish college here he had two deferments. However, after his graduation in the spring 1977 he could no more stay on deferred basis, nor could his passport on which any sort of visa could be stamped, an in order to avoid being declared draft deserter and criminal in Finland, he entered the Finnish armed forces last October for eight months of service. He had difficulties in identifying with the surroundings and in adapting himself to what for him was a virtually foreign country's army life; he even had language problems. Most, however, he was bothered by the thought that there was no future for him because he could not work in the United States. Despite the fact that, being quite athletic, he amassed service stripes and honours in his first months with the Finnish army, he had a nervous breakdown at the beginning of April and is, at present, being treated at the military hospital in Helsinki, psychiatric ward.

Being a girl, our daughter has not had similar problems, but it goes without saying that especially after her brother's experience she is becoming increasingly

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[1] Collected by G-IV Children's Coalition, Inc., Feb. 16, 1982.

depressed and demoralized. Both children appear to feel that it is basically their parents' fault that they are in grave difficulties.

My daughter is now a Freshman at [a University in Virginia]. Her father who was Iraqi is now deceased. She was born in Egypt, has an Iriqi passport . . . She has no one in Iraq; she cannot live with my elderly parents in Egypt; she cannot live by herself in Egypt (culturally, it is simply not done); and she cannot 'grow up' legally in the United States. She has lived for over 17 years (out of 18) in this country.

For the past seven years my children have attended American schools. In keeping with the long tradition of this schooling system, my children have been absorbed into the American way of life without regard to their country of origin and now feel and act as if they were citizens, like their fellow class members. Infact, when we return to our home country they hold themselves out and are regarded as Americans. When I informed them of their present status as G-4 visa holders, they fail to comprehend the significance. This attitude has made me very concerned about their future prospects, as it would have a devastating effect on them if, after completing their education in the U.S., they have no option but to return to their home country—a country they now regard as foreign. If the present bill is not enacted in the near future, reluctantly I will have no option but to sever my connection with the World Bank and return to my home country.

Indeed, in the case of my wife and myself, having resided here for the past ten years, we have adopted the way of life here and if we remain for another ten years it will be extremely difficult for us to return and readjust to our home country.

I have been working with the World Bank since April of 1973. Before I joined the World Bank I had served my native government for over thirty years at the highest administrative levels in the field of development; especially rural development. My considerable field experience is being utilized by the World Bank in varied ways. My wife has been working as a Red Cross volunteer at the Suburban Hospital for the last six years. My only dependent daughter is a full-time student at Georgetown University. She will be graduating this year.

All of us, of course, are in G-4 visa status. My wife cannot seek employment. My daughter is permitted to work on a very restricted basis only as long as she is a full-time student. Should I die my family has to leave the United States within one month of the event. When I retire all of us will have to do the same. Such a requirement seems so un-American!

I and my family have lived in Maryland for seven years. We live in a house that we purchased. A large number of our friends are Americans. We were westernized before and have become Americanized now. The prolonged stay in this country has loosened our traditional ties. These traditional ties were disrupted by the Pakistan-Bangladesh conflict in 1971 and our relatives and friends are scattered in these two countries and in the Middle East, England, Canada and the U.S.A. We ourselves have found a new home here and would like to continue living here and being a part of this great society and country.

As a Dutch citizen with a British wife, I have had the privilege of living in your country for over 20 years; my children were babies when we arrived, and their education is completely based on the American system. I originally entered the country as a scientific researcher at the request of the Du Pont Company, with full immigration status, and intending to establish my family permanently here.

As a result of taking up employment with the World Bank in 1963, I was forced to adopt G-4 visa status. This visa would oblige my family to leave the country within 30 days on my retiring or on my death, in spite of the fact that we all long since have considered this country our home.

After nearly 14 years of residence in this country, including the last 11 under the G-4 visa, I feel deeply concerned by the future of my children, their ability to develop their lives in harmony both with their family ties and their professional advocation. My wife and I are also concerned by the outcome of our own future when re-

tirement comes and we realize after some 25 years in this country that this is where we finally belong as true immigrants.

Indeed, as as home owner, resident of the State of Maryland, and graduate of Stanford University, I am, as well as my family, deeply rooted to a social, political, economic and educational system which both by virtue of service in the World Bank but also by personasl affinity for the rights, duty and ideal of this country, represents, for myself and dependents, home in the most serious sense.

I am an Australian citizen on a regular appointment with the World Bank in Washington, D.C. and I have lived in Potomac Md. with my wife and two children ever since we came here 6½ years ago. As you may imagine, my children feel very much at home in this country, and in fact they both are now attending U.S. universities.

It has always concerned me greatly that my children would have to leave the United States when they have completed their studies, and I sincerely hope that the law will be changed so that they may have the option of remaining here. That would make all the difference, not only for them, but also for my wife and for myself, in that it would remove a dark shadow that has been hanging over us ever since we found out that our G-4 visa status prevented the children from the possibility of changing to immigrant status. It has been extremely difficult to bring up our children without feeling resentment against our host country for which we otherwise have so much affection.

Upon finishing graduate school, I found myself treading a circular corridor. I had applied to the Federal Reserve Bank of New York for a particularly enticing job. I would be a staff economist in the Fed's Developing Econômics Division, combining my first-hand knowledge of and field research in Latin America with my Princeton training in economics to brief management on the area's economic performance. That I was a foreigner did not matter much—of the thirty applicants from top schools I was placed at the head of the acceptance list—until I inquired with the State Department for permission to work. A State Department consul told me that my case would not be considered unless I had a job offer in hand; the Fed would not, however, offer me employment until I had a work permit. So, I spent three weeks on the phone calling the State Department and the Fed. In the end, I received no permission to work consequently no job offer, and, thus, no permission to work.

Foreign students, in general, tear themselves away from family and country to come to study, and return upon graduation to welcoming home parties. We, children of international staff members, are fortunate to have our families near while we study, and embrace joyously the land that becomes our new home. Yet, at the end of our studies, while others return home, we are thrown away from our families and forced to return to countries that have long ceased to be home. Some of us remain as dependents by returning to school; those like I, who want to repay with productive work the gifts we have received from our parents and from America, are told to leave. If nothing else, is it not bad management to let go the investment in an education from Andover and Princeton that I carry with me?

In a few weeks, then, I will be leaving home to return to my country of origin. Fortunately, I found a good job there. But what of the pain of being left apart from my family? What of the resentment towards a system that blindly throws its own students away? The present law, by not providing resident status to the sons and daughters of international staff members, accomplishes three things: it breaks up families, it promotes perpetual, unproductive students, and it forces highly skilled young people to leave the country. It is for these accomplishments that the law must be changed.

I have lived in Washington for nearly thirteen years and have educated all my four children at American schools and colleges. Nevertheless, when my daughter left college two years ago she had also to leave the United States—which she had come to look on as her home—and return to London. It has been an unhappy exile both for her and for the rest of the family. As things stand, my son will likewise have to leave next summer when he completes his time at college, while my two younger children (aged 18 and 15), who have known no other environment during their formative years, have a similar prospect ahead of them.

My oldest son arrived in the United States at the age of 10. He attended school regularly and graduated from high school in 1979.

During his school years, he had the jobs customary for American boys such as delivering newspapers, mowing lawns, etc.

He continued studying at Northern Virginia Community College, making an effort to excel, although he had to work at the same time.

Without my knowledge, at the end of May, 1980, he took the exams as a candidate for entry in the U.S. Marine Corps. He received such an excellent grade on these exams that the officials at the recruitment office were very interested in him. So the situation stood in an interview with the head of the office after a discussion about the G-IV visa. Since they were showing great interest in the enlistment of my son in the Marines, I decided to consult an attorney about the situation in the hope of helping my son so that he would not be tricked. The attorney specializes in these cases and he explained to us that it would be impossible for my son to obtain his residency and, for the time being, he would not be able to realize his aspiration of serving in the Marines.

One cannot imagine my son's reaction—he took it very badly—he cried out to me and told me that it was useless to study in this country, that nothing could be achieved by good work, that the illegal persons in this country have more guarantees and are more protected by the law than we.

For our children to be useful members of this North American society in which they live, they need to be prepared intellectually. In this society they have grown and developed; their language is English and their customs are American. What can one expect from them if, after studying and working hard, they have to suffer the disillusionment of being unable to become a part of that same society because of the sin of not being a resident.

For them it is almost impossible to return to their country of origin for not only do they lack friends of their own age and the contacts necessary to obtain work, they also have difficulty expressing themselves in their own mother tongue.

My wife and I would like to ask you for some of your precious time on behalf of our three daughters M., S., and S.

We consider ourselves an average, fairly well-adjusted and happy family. Of course, as anybody else, we do have our problems which we don't mind, however, as long as we can see the options leading to possible solutions.

The particular problem about which we are writing to you concerns the future of our girls. We have often discussed it among ourselves, with friends, and even with specialists, over the past six years or so, but so far found no possible solution. A spark of hope we now see in the recent moves in the Senate and House of Representatives on the G-IV bill (H.R. 4294). Till this date we have not met anyone who appreciates the implications of having G-IV status, particularly so for upgrowing children. All our dentist, real estate agent, physician, neighbor, or our daughters' teachers and friends know is, that we have a difficult Dutch name, that we have lived and worked in the U.S. for over ten years and that I am an Agriculturalist with the World Bank. It is thereby generally assumed, that, either, we have American citizenship, or when we try to explain that and why this is not the case, that we then obviously don't care about obtaining it.

May I give you some of the background which is pertinent for you as a specialist, to better understand and appreciate our "case."

In 1958 I graduated from the State Agricultural University in Wageningen (the Netherlands) with an M.Sc. in Tropical Agronomy, three days after we were married. My wife was born (from Dutch Parents) and raised in Indonesia and lived only for four years in Holland. We left for my first assignment with FAO of the United Nations which took us to Nicaragua, ten days after we were married. I was with FAO until May 1969, with subsequent assignments in Nigeria, second assignment to Nicaragua, and a 4½ years' stay in Argentina. M. (now completing her second year at a college in North Carolina) was born in Holland during home leave in 1962, and S. Was born in Argentina in 1966. M. and S. received their first 3 and 2 years, respectively, of primary education from my wife with the help of a correspondence course. However, by 1969 at the completion of our assignment to Argentina, we decided that we had to find a base and more permanent home for our family. On August 29, 1969, we arrived in Fort Collins, Colorado, where on September 4, M. and S. went to their first "real school", and I myself began a doctoral program at CSU, from which university I obtained my Ph.D in Range Management in July 1973. The first home we owned stands in Fort Collins, Colorado.

From July 1973 until February 1974 I continued with the Agricultural Research Service of the USDA (Crops Research Laboratory) at Fort Collins, where, during my studies, I had also been Research Assistant. Then, in early 1974, we faced three choices: to go to Pakistan for FAO, to the Netherlands to join a Dutch Consulting Firm (ILACO), or to Washington as Agriculturalist with the World Bank. We decided on the latter, since we and our children had adjusted to living and to schools in the U.S., our and their friends were American, and the Dutch language by then had already taken second place.

And so here we are now, having lived all our married life abroad, for the past 10½ years in the U.S., our eldest daughter a sophomore in a North Carolina college, our second daughter, who in September this year will go to a college in West Virginia (registration fee already paid) and our 14-year-old girl who already decided that she wants to be a teacher for handicapped children. My wife has half of the credits required for a B.S. in Social Psychology.

As I mentioned earlier, we saw a spark of hope in the bill being readied in Congress that would grant special immigrant status to our daughters as G-IV children. Passage of this bill to us would mean in very concrete terms: that our children would not necessarily have to plan their future along the lines often suggested by sympathetic friends: "Don't worry, they are so pretty and they will marry a nice boy"; that in planning for their future, in choosing a college education and a career, they can use the country and environment in which they were educated and formed, as their frame of reference, instead of having to continue to live between two worlds: the one they are familiar with (the U.S.A.), and the one they only know from a few weeks of leave every two or three years; and that they can participate more fully and responsibly in social and politcal life and events, where they are now often, consciously or unconsciously, considered or considering themselves to be "foreigners."

We therefore respectfully ask you to also remember and consider our case when you and members of your subcommittee will make the decision which will greatly and directly affect the future of our children, a future which presently is undefinable.

Mr. J. born in 1921, of Indian nationality has been in the United States continuously since July 1, 1973, employed as a Senior telecommunications engineer, World Bank, Washington, D.C., with a tentative date of retirement, November 30, 1986.

Family members include G.—wife, Indian, 51, S.—daughter, Indian, 20.

Visa status—G-IV (D/S) for all three members of the family; requirement, U.S. Citizenship or Resident Visa Status for all three members of the family after my retirement in November 1986.

Justification—My daughter came to the States when she was 12. She attended for six years Junior and Senior High Schools in Washington, D.C. and, since September 1979, has been studying at a university in Washington, D.C. from which she will graduate in mid 1983. She expects to enter graduate school for a Master's Degree thereafter. Since she has spent all her adult life in the States and is attuned to the western style of living, she desires to settle permanently in the USA and does not wish to return to her home country, India. Being our only child, my wife and I wish to be near her in the USA. Hence, the requirement of US Citizenship so that all three of us can settle in the USA.

1975—Mrs. P. explores possibilities to have her (and her sons') status changed from G-IV to permanent resident of the USA. Correspondence with Maryland State Senator Simpson and U.S. Senator Mathias, who contacted the INS (Distr. Dir. Wallace R. Gray).

1976—INS processed Mrs. P.'s application and in November denied based on Interim Decision No. 2404 in Matter of Wang. Mrs. P. went in appeal and never heard from INS again.

1977-78—More or less given up hope to succeed until the end of 1978, when she realized that problems would arise for eldest son C. (born in 1959), when he would graduate from a community college.

1979—Period of great activity:

Mrs. P. contacted U.S. Senator Mathias again;

U.S. Senator Mathias was preparing legislation for G-IV children in general;

Two local newspapers ran articles on Mrs. P. and her son C.;

During the spring a signature campaign was started in the P. family's church, C's school, a youth organization, and among friends and neighbors;

The originals were sent to U.S. Senator Mathias, and copies to all members of the Judiciary Committee of the Senate, U.S. Congressman Rodino (Chairman of the Committee on the Judiciary), and to U.S. Congressman Bauman through Charles County Commissioner James Dent. Positive reactions were received from U.S. Senators Thurmond, Sarbanes, and Cochran;

Mrs. P. corresponded with U.S. Senator Nancy L. Kassebaum, and lady legislators Mikulski, Holt, Spellman, and Byron. Mrs. Holt reacted positively; and

On July 18 U.S. Congressman Bauman introduced bill H.R. 4857, and on July 24 U.S. Senator Mathias introduced bill S. 1566. Both bills were referred to the Committee on the Judiciary, and probably never heard of since.

We are very anxious to have the C-IV bill passed as soon as possible. Our eldest son is now 21 years old, is not too keen to continue his tertiary education and would like to start working for a computer company or a firm where use is made of computers. He needs State Department approval for 20 hours of work per week; this is slightly demoralizing. He is convinced that his future is here in the USA. Our second son is now a sophomore at a college in Maryland; thus we have some time left for him.

However, my small daughter's case may already provide a good illustration of the current immigration laws' effect. Elisabeth entered the U.S.A. with us at the tender age of four months. She is almost four years old now, and speaks "American" only—she understands some Dutch but my wife and I speak English with her. (My parents are elderly and ill and I have few remaining family members in Holland or Belgium, while my wife has become estranged from her remaining family in Belgium. We have all our assets and savings here and are active in our local church and through local volunteer work.)

I assume that, in twenty-odd years, after having spent all her life minus four months in the U.S.A., my daughter will be deported.

It may seem odd, but the resolution of her status is a factor that I must include in career decision-making by the time she reaches school age: return to Europe when she can still integrate or face severe immigration problems ten years later in regard to her.

My husband works for the International Monetary Fund and I work for the World Bank. We are both British citizens, as are our children. My two sons were ages 4 and 7 years old respectively when we came to the United States and they have had most of their education here. My eldest son (20 years old) graduated from High School in 1979 and is now in college. When he graduates in 1983 he will be unable to work. My youngest son (17 years old) will graduate from High School in June of this year. He desperately wants to be an auto mechanic and has taken two years of auto mechanics in high school, but he will be unable to work on graduation. Both boys have been very keen to join either the Marines or the Army and we have had recruiters constantly calling at our home. We have told them that it is impossible for them to join without a resident visa but most of the recruiters have been so keen to have them join that they have insisted on looking into the matter for us. They have finally had to admit that there is nothing they can do but still keep calling to ask if our visa situation has changed.

My children are totally "Americanized." They speak with an American accent and refer to this country as "ours." Because of the differences in the educational systems, they would find it extremely difficult to find employment in England and would feel totally out of place living there. My family loves this Country and consider it "Home." We have very little family left in England so rarely visit there.

We arrived in Washington, D.C., full of hope and expectations, on May 31st, 1967. At that time our eldest child, Helen, was five and our son, Ian, two years old. We selected a "lot" in a new development in Bethesda and watched our future home being built in a very special community, Carderock Springs. We moved here thirteen years ago, our two children were the first (and youngest) to move into the street and settled happily into their new life and the nearby Montgomery County Elementary School.

After a few happy trouble free years of family life my husband and I began to observe problems of other Bank families with our older children. We started to have serious doubts about keeping our two in the American system because of the GIV visa limitations. First we sent our daughter, at eleven years of age, to a British

boarding school. This entailed curriculum changes and massive adjustments to living in an "institutionalised" environment without family and home life. She did well and passed her "O" level examinations at sixteen with good results. However, during the summer vacation of 1978, aged seventeen and unable to work, she took a course (World Politics) at American University, for which she obtained three credits. Subsequently she found it virtually impossible to cope with British boarding school restrictions. Whilst we knew that close family support and supervision was badly needed at this time, we tried to explain to Helen that she had no choice but to re-orientate, the GIV visa restrictions meant that she would have to go through the same ordeals again later, and may then be even harder for her to face, if she stayed here to finish high school, which she wanted to do at that time. We decided for her that it would be in her own best interests to finish her last half year in boarding school, hoping she would then get into a British school of further education and thereby continue the necessary adjustments to re-orientate to her country of origin. Sad to say Helen did not "graduate"; she found the pressures of "A" levels and boarding school life more than she could take at that age and left school only three months before her eighteenth birthday. She then tried an alternative school in London, where she had more freedom, but still the life in a hostel and feeling of insecurity about the future were not conducive to getting her through those vital "A" level examinations—absolutely essential for higher education in Britain. After a few desperate weeks working in McDonald's in The Strand (perhaps in retrospect she felt close to home there?) she flew back to Washington, a physical and emotional wreck, the day after her eighteenth birthday. In spite of all efforts a re-orientation failure.

The process of helping Helen to apply for a place at Maryland University began, but as a "foreign student" she had to wait six months for admission. During this time she observed many "vacancy" signs in a nearby shopping mall, applied for and was given a temporary job in one of the large departmental stores. After only three weeks of "on the job" training she was a changed personality, happy to be home and self-respecting. She applied for the necessary "Work Permit" but received a letter from the United States Department of Justice denying her permission to accept employment since she was not a full time student and the position offered was one for which there is an oversupply of qualified workers in this country. Adverse behaviour problems rapidly became apparent and to avert total self-destruct Helen was allowed to return to London in November 1980 to find temporary work until mid-January, when she would become a Freshman at College Park, University of Maryland. Due mainly to her strong will and persistent personality, she did find temporary work in a British factory earning just about enough to pay her bus fares and lunches but at least became "self-respecting" once more.

Helen is now in her third semester at Maryland University, resident on campus but returning home most weekends. For the time being she is again a happy, well balanced student (with 27 credits) trying to improve her grades. She hopes to be "allowed" to live at home and work during the Summers she is in school but after this, what will be her destiny?

Our son, Ian, will be seventeen in March. He went to boarding school at age 10½ after having attended the local County Elementary School from Kindergarten through 4th Grade. We went through the same traumatic adjustments to the different curriculum and institution of British boarding schools as his sister and recently passed his "O" level exams. Now almost seventeen he is also beginning to resent having to go back to England to school. If he completes the "A" level courses he has no intention of looking for a College place in Britain because he wishes to return to the United States where he dearly wants to live.

Setting aside the numerous emotional traumas Bank parents go through, sharing family life with our children for only a quarter of their important teenage years, the bottom line of this "statement" is that the process of re-orientation to their home country does not always work, especially for children of families who have settled happily and blended into the local environs. Our children did not leave Washington by choice, we, their parents, made what we thought was the right decision for their future happiness only to find they now feel insecure and "homeless" at a very vulnerable age. We are still full of hope and expectations—that such cases will be given the sympathetic consideration they justly deserve.

Coming from Brazil I arrived in the U.S. in August 1967 in order to work for the Organization of American States. At that time my three children were ages 9 (Patricia), 7 (Carlos) and 5 (Roberto). The youngest was at school for the first time in the United States. At present Patricia is preparing for post graduate studies in Econom-

ics and the other two are currently enrolled at the University of Maryland (junior and sophomore years). The two younger children do not speak Portuguese, have lost all contacts with Brazil, perceive themselves as Americans and would already be American citizens if they would have had the opportunity.

I consider that it will be traumatic for my children to be forced to go back to Brazil while having been prepared to be part of the American society only because their parents were in Brazil when they were born and decided for professional reasons to move to the United States when they were too young to object—especially when this move is based on work within an international agency of which the United States is not only a member but also the host country for this agency's headquarters.

Gabriel T.: I first arrived in the U.S. in 1966 at the age of 7. Since then I have lived here, that is for the past 15 years. I attended public schools in Montgomery County from the 2nd through the 12th grades, graduating valedictorian of my high school class. I then attended Brandeis University, graduating Magna Cum Laude with highest honors in biochemistry. At present I am a third year medical student at USC.

In essence the United States is my home; in language, culture, and heart. Unfortunately this is a written statement because if you could hear me speak these words, they would sound as if from the mouth of an American.

It is and has been a great hardship for me having been refused the privilege of becoming an American citizen. Gaining admission to medical school is a difficult endeavor for anyone, but even more so for an alien. The unfortunate thing is that I have come to consider myself an American and it is only on official papers and documents that this is not the case.

There is no question in my mind that I am a part of this country and that I belong here as a citizen. The thought of someday having to leave this great land, the one in which I have spent my childhood and young adulthood, comes to me as a great injustice. I realize that in a government as large as this individuals are often overlooked but I hope that my case will not only come to your attention but that you will act favorably toward me and those in a similar position.

Silvia T.: High School (Winston Churchill, Potomac, MD): I was in the top 20 percent of my class; work experience: babysitting, tutoring; and athletics; varsity swimming (lettered), jv volleyball.

University (Brandeis, Waltham, MA) graduated cum laude—held following unpaid positions: paraprofessional at Metropolitan State Hospital, Waltham, MA (psychiatric hospital); research assistant in visual perception studies (Brandeis University), schizophrenia research (Brandeis University, 3 years), intensive care unit (George Washington University Medical Center)—cardiac patients; teaching assistant for an upperlevel psychology course; athletics: varsity swimming, varsity volleyball (lettered), intramural sports; and staff on the university paper, The Justice (lay-out).

Currently in Ph.D. clinical psychology program (Long Island University, Brooklyn, NY).

Throughout my life I have been unable to obtain any jobs because of my status as a G-4. At a time when I could have been sampling jobs in possible areas for a career, I was relegated to babysitting. Any other job opportunities available to me were solely a function of my own ingenuity and creativity (i.e., tutoring in Spanish, English to foreign students, Hebrew, Algebra, Calculus, Statistics). As a result of this inability to work, I was denied the opportunity to obtain new skills (e.g., decisionmaking skills, problem-solving skills, researching skills, interpersonal skills, etc.), to see how the theoretical material presented in school relates to reality and modern society, or to learn about different aspects of the job market—which would provide me with a wider and more reality-tempered base for my decisions concerning the future. These opportunities are crucial for the high school student in order to test out his/her desires in the "real world" and to help him/her decide about college, job interests, and life interests in general. I was denied these opportunities. As a college student the importance of these opportunities greatly increases, along with the increased desire to start gaining some independence—personal independence is inextricably linked to independence from the external environment. Man constantly tests himself vis-a-vis the world. If the soil is fertile, one wants it to bear fruit. It is not enough to know that the soil is fertile. In fact, it becomes that much more frustrating to know one has the ability to do something, but is denied the possibility of tapping these abilities and resources. In my case this dilemma is especial-

ly tragic considering I have lived in the United States for sixteen of my twenty-two years and for all practical purposes am "American." But because my technical label is "G-4," I am denied the opportunity to live my life fully as an American.

Another disadvantage resulting from my G-4 status is my inability to obtain scholarships and government loans. My university explicitly stated that I was ineligible for the available scholarships for Americans because I am not an American Citizen. I was equally denied the foreign student scholarships because my high school education was obtained in the United States. This places me in a catch-22 position. Fortunately my parents are able to provide the necessary financial requirements. If they had been unable to do so, however, circumstances would have made it extremely difficult for me to realize my goal of continuing on to college and graduate school—this problem is obviously exacerbated by my inability to contribute substantial sums financially.

I am anxiously concerned about my future status. Currently I am studying towards my doctorate in clinical psychology, yet I am uncertain as to the possibility of being able to practice my profession. I am in a position where all my education and training has been obtained in the United States with no possibility of using it. Upon completion of my doctorate, I will be competent enough to exercise my knowledge and skill and to hopefully contribute to American society, but as the law stands now I will be denied this because I am "G-4." The anxiety and strain resulting from this situation is great.

Nicholus R.: I was born September 29, 1962 in Medellin, Colombia. In October of 1962 my family moved to the United States. My father accepted a position at the Organization of American States, and we have been living in the United States for the past twenty years.

I attended Kent Gardens Elementary School in Fairfax County. At Kent Gardens I served as president of the Student Body Government and was ironically awarded the D.A.R. Junior American Citizen Award. I continued my education at Cooper Junior High School and went on to attend Langley High School also in McLean, Virginia. At Langley I served as president of the Student Government my senior year. I also participated in a variety of extracurricular activities. I completed my high school education with a 3.3 grade average. Currently, I am a sophomore at the Catholic University of America. I have maintained a 3.2 grade point average over the past three semesters.

My older brother and sister were also born in Medellin, Colombia, and like myself, have grown up in the United States. In May of this year my older sister will graduate from The Catholic University of America. She will graduate with honors and receive a B.A. in elementary/special education. She plans to work in the field of special education. My oldest brother graduated from the University of Pennsylvania in 1981, with a degree in economics and international relations. Felipe is presently employed by a prestigious Washington law firm.

My two youngest brothers, ages 14 and 11, are United States citizens by birth. Although I have resided for nineteen years in the United States and have two brothers who are citizens, my family's G-4 visa prevents me from becoming an American citizen.

Paul R.: Graduated 1978—has work permit—is working, but at age 25 and after 11 years in United States—

(a) Is constantly worried about his future if work permit is not renewed (next renewal due February 1983).

(b) Has no desire to return to Canada (away 11 years) or United Kingdom where born (away 24 years).

(c) Having a degree in Business Administration, he is doing a job below his real capabilities. It is difficult to change jobs as many Companies (including his own now) seems to be unwilling to get involved with work permit/State Department letter requirements.

(d) Is not able to leave parents to move into own apartment or leave Washington area to pursue own life and career opportunities elsewhere in the USA.

Colin S.: Colin was born in Zimbabwe in September 1956. After leaving Zimbabwe when he was seven years old, Colin resided with me in Nigeria, Sierra Leone and Kenya before I joined the World Bank in Washington in 1969. He graduated from the Imperial College of Science and Technology in London in 1978, where he ob-

tained a Bachelor of Science degree in Computer Science. He is now employed by a firm of consultants in London and is presently working for the Royal Dutch Shell Company in Holland. However, he would like to be in a position to obtain employment in the United States, which will not be the case until the G-(iv) Bill becomes law.

Thomas S.: Tom was born in Zimbabwe in March 1960. He left that country when he was three years old and resided in the same countries as his brother prior to coming to the United States in 1969, at which time he was eight years old. Tom was admitted to Washington and Lee University in Lexington, Virginia, in the fall of 1978 and will be graduating in June 1982. He has specialized in Electronics and Physics and would like to be in a position to work in this country after he leaves school.

Our thirteen year old son has been in the American school system since the Second Grade. He is an only child and his only close relation in the United Kingdom is a 79 year old grandmother. The idea of sending him back to boarding school in the United Kingdom under these circumstances seems an unreasonable burden to put on any child.

We are, therefore, faced with the dilemma of keeping him at school here, knowing that, under the present U.S. immigration laws, he will be unable to work in this country, or sending him back to the country that we in fact made the decision to leave in 1976.

Our commitment is to a life in the United States, is it too much to hope that our son may have the same expectations?

Since leaving my native Yugoslavia at age eight, I have lived in the United States. I am now twenty-six years old, and an American in every sense but the legal. Yet I have to live at home, supported by my parents, I can't hold a regular job, and I live with the constant fear that at any moment—should my parents move to another country, or die—I might be deported. How long must I continue to live in such limbo? Something has to be done now.

Laurence R., age 22 and Esther R., age 20 (nationality: Australian): Both children have lived in Potomac, Md. since February 1973 (i.e. nearly 9 years) and they both attended Montgomery County junior and senior high schools.

In May 1981 Laurence completed 4 years at the University of Maryland, obtaining a Bachelor of Science Degree in Aerospace Engineering. He is now attending Graduate School, at University of Maryland.

Esther has been at Cornell University, Ithaca, for 3½ years, majoring in Economics. She has been on the Dean's list throughout, got Phi Beta Kappa, and graduated last December.

Needless to say, after living in this country for 9 years, both children are very much integrated in the American way of life. They would both like the option of staying here instead of having to leave when they have finished their studies.

I am indeed also very worried about the future of my children in this country. They came to the States when they were 2 and 5 years old, now they are 14½ and 17½ respectively. It would be impossible for them to go back to the country where they were born (The Netherlands) since they don't speak the language or at least not enough to follow any education there. They are totally Americanized through education and surroundings.

What are they supposed to do after finishing their schooling, if they are not allowed to stay in this country?

I joined the International Monetary Fund in March 1967 with the intention of making my career here. Initially I continued to send my two eldest children to school in my home country but the difficulties of this separation—which included terrorist activities—made this intolerable. As a result I have educated all my four children in American schools and universities and have never regretted this decision.

Unfortunately, when my eldest daughter left college, after seven years of residence in this country, she was not permitted to remain and obtain employment here and therefore had to return to her home country. This forcible separation from her parents and family caused her (and her family) great personal suffering and at the same time subjected her to many difficulties in adjusting to a different environment, where she was no longer accepted as a compatriot. The separation from her

family, the consequent loneliness, the difficulties of adjustment, and, not least, the cultural shock made her return a painful affair, which was the more distressing because it all seemed so unnecessary. As a family, we could only watch the misery of this enforced emigration as helpless spectators and yet wonder why political refugees should be received with such warmth and in such numbers while we ourselves should be subject to division, separation, and estrangement. I hope that some form of residence status may be granted which will correct the anomaly of our position and remove the need for summary "repatriation," a term, which, over time, must inevitably lose much of its original meaning.

I have been in Washington with the International Monetary Fund for the last thirteen and a half years. When I arrived my son was eleven and a half years old and my daughter three. My son's school and college education was almost entirely acquired here in the United States. When he graduated in 1979 he could not work here and so he returned to India. However, he could not adjust to his new surroundings and customs of the country because he had spent his most formative years in America, and his way of thinking and living were American. Still he continued for some time in India but it resulted in a severe nervous breakdown. Now I have brought him back to the United States and he is undergoing treatment. This has caused considerable anguish to my wife and myself and it has also affected my daughter. We are quite apprehensive about whether the same thing will happen to my daughter who is now seventeen.

We arrived here in America in 1967 when our children were 8, 6 and 4. Since that time they have gradually lost their national identity and consider themselves American. They have attended American elementary, junior and senior high schools, colleges and universities, and the youngest has never known any other form of education as she started here in kindergarten. They feel as American as their American friends and they perceive the rest of the world from an American point of view. They identify with Americans and belong in America. To expect them to leave this country and function in another culture would be unreasonable.

One of our children who is now 23, is studying computer science for a Ph.D., the others are working for degrees in liberal and fine arts, expecting to graduate in the summers of 1982 and 1985 respectively. Unlike their American friends who expect to graduate and work in their chosen fields, our children cannot look forward to such a certain future. Under present immigration regulations they are anxious and frustrated about their future prospects.

Another factor that has caused us anxiety is the fact that I am Thai and my wife is English, two of our children were born in England and the youngest in Thailand. Should I die, my family would be split—one child would have to go to Thailand and the others to England.

I am British and my wife is Malaysian. Before joining the Bank our family was resident in Malaysia, where our three daughters were born. In 1972, when our girls were 9, 7 and 4, I joined the Bank and we moved to Chevy Chase where we bought our own house and the girls commenced public elementary schooling in Montgomery County. Now (1982) two of our daughters are in Bethesda-Chevy Chase High School and the eldest is a full time student at Montgomery College.

Our period of residence in Maryland was broken for four years between 1976 and 1980 when I was transferred to the Bank mission in Thailand, where our girls continued their education at the American International School in Bangkok, and from which my eldest daughter graduated in 1980. It is quite possible that I may be transferred to a Bank mission in another foreign country in the next two or three years, then return again to Washington where I am likely to continue working at Bank Headquarters until my retirement in 1989.

Despite our frequent moves from country to country and the fact that my wife and I are Malaysian and British nationals respectively, we now look upon our residence in Chevy Chase as home, and our girls are indistinguishable from young Americans of their age.

Our eldest daughter will finish her higher education in 1984 and will be closely followed by her sisters a few years later. We are already concerned about her career prospects and are banking heavily on the passage of the G–IV Children's Coalition Bill before that date.

My two children came to America when I joined the World Bank 11 years ago. They were 2½ years and 5 months old respectively. They have lived in America continuously since except for five visits of about one month each to their home country.

For the past nine years, my children have attended American schools. In keeping with the long tradition of this schooling system, my children have been absorbed into the American way of life without regard to their country of origin and now feel and act as if they were citizens, like their fellow class members. In fact, when we return to our home country they hold themselves out and are regarded as Americans. When I informed them of their present status as G–IV visa holders, they fail to comprehend the significance. This attitude has made me very concerned about their future prospects, as it would have a devastating effect on them if, after completing their education in the U.S., they have no option but to return to their home country—a country they now regard as foreign.

In an endeavor to resolve this problem, three years ago I made enquiries with three boarding schools in the home country but the schools were reluctant to accept my child stating that they would not like to be responsible for children whose parents were residing abroad. In addition, they advised against sending children to a boarding school in the home country as, in their experience, leaves home at this critical stage compounded by the cultural changes was likely to have traumatic effects on the children's development.

I understand that my children will not be eligible to enter university in the home country as admittance is based on a national examination's results for which my children will not be prepared.

My son came over with my wife and I when I joined the Bank in 1967, and spent his last year of schooling in this couintry in 1967–8. He then went on to Maryland University where he completed his degree in economics in 1972. He then proceeded to try and get a job in this country but managed only temporary appointments as it proved impossible to obtain employers statements that they could not employ an American citizen to do this same job. It was not until 1976 that he gave up the unequal contest and decided to return to UK. Before this there was no where for him to go in UK as my only relative, my father was senile. He died in that year and I was able to purchase a flat from the proceeds of the sale of his house to which John could return. However, after nine years in this country he had few contacts in U.K. as his erstwhile school friends had long since dispersed around the country and the world. Living on his own in what was by then a strange and lonely environment he had great difficulty in finding work as most potential employers did not know anything of Maryland as a source of a degree in economics.

At Christmas time of 1976, since he had been unsuccessful in finding work and was very depressed living on his own, we invited him back to spend Xmas with us. You can imagine our concern when the US Consulate in London refused him a visa! It was not for another two years after he had gotten a job that he was able to get a visitors visa to visit us once again. My wife actually wrote to President Carter about this, but of course nothing transpired. We were informed that the consulate had absolute discretion.

I, Niko K., was born in Stuttgart, Federal Republic on Germany or December 14, 1956. In June of 1964 at the age of seven I arrived in the United States, where my father had accepted an offer to join the World Bank. Shortly after our arrival in Washington, D.C., my parents purchased a house in McLean, Virginia, in which we have now been living for over 17 years. I was enrolled in the second grade of the German School, Washington, D.C., from which I ultimately received my High School Diploma. Since I wanted to complete my secondary German education, I stayed on for an additional year and passed the "Abitur" at the top of my class. The "Abitur" is a comprehensive examination upon whose satisfactory completion one is allowed to enroll in a German university.

At this point in time I had lived in the United States for 12 years but had also visited Germany at least every other year. I felt comfortable in my surroundings, but I was not sure, whether I was more an American or more a German. Having lived in the United States I decided that studying in Germany would enable me to make a decision concerning the question of my home country.

In the full of 1976 I enrolled at the University of Mannheim which offers a degree program leading to a "Diplom-Kaufmann" which is approximately equivalent to a B.A. in business administration and economics combined with an MBA. In addition to my studies I participated actively in campus life. I took karate, lessons in tennis,

joined a student organization concerned with university and political issues, and developed a circle of good and hopefully lifelong friends.

Nevertheless, after about two years in Germany it became increasingly evident to me that I could not identify myself as a German. My values and expectations of life were markedly different from those of my friends and peers. It became exceedingly apparent to me that my growing-up in the United States had shaped my beliefs in more numerous and subtle ways than I had noticed or thought possible. It was at this time that I made three decisions: First, that I would seek to return to the United States as soon as possible in order to immigrate; second, that in the future my professional life would be centered in the United States; and third, that I would refrain from all semipolitical and political activities I had engaged in in Germany.

Even though I tried to transfer into the American educational system at that time, this was not feasible because of the very different organization of the American and German educational systems. I thus looked into a university and a program in the United States, specifically the graduate accounting program of the Georgetown University in Washington, D.C., which I wanted to apply for after completing my studies at Mannheim. At Mannheim I then concentrated on those academic courses that I felt would provide a good addition to the Georgetown program.

In May of 1981 I received my degree from Mannheim which in combination with the very high grades I received would have provided me with very good employment prospects in Germany. Nevertheless, I accepted Georgetown's offer for enrollment in the Master's of Science in Accounting program in June of 1981 and have since completed my first semester with very good results (estimated overall GPA above 3.5 on a scale of 0.0 to 4.0). Ascertaining from several interviews I have had recently my prospects for employment in the United States are very good provided, however, the problem of my immigration status can soon be resolved, since my graduation is scheduled for the end of August of 1982.

In conclusion I would like to express my views concerning the process of "Americanization." This word encompasses far more than only the adoption of a certain lifestyle. It includes the acceptance of values and an outlook on life that are uniquely American. It also means a person is moved when the flag is raised, when certain songs are sung, or when words and scenes of the past are remembered. In this sense I know in my heart and in my mind that I am an American.

I, Gunter K., was born February 16, 1960 in Accra, Ghana. Since my parents initially thought that we would only stay in the United States for a few years, I was enrolled in the German School in order to keep our ties and to make a relatively easy transition back to Germany possible. I stayed in the German School from kindergarten all the way through 13th grade and received my High School Diploma from there.

After successfully having passed the "Abitur" I too, like my brother, could have gone back to Germany to attend a university. However, contrary to my brother's thinking at that stage, I was absolutely certain that I wanted to stay in America. I had lived in this country since the age of four and had acquired many of the American values and standards. Since my education, however, had primarily taken place in a semi-German environment, i.e. in the German School, Washington, D.C., I decided to attend the George Washington University in order to become fully integrated into the American system.

In summary, I came to this country at such a young age that, I believe, it would be very difficult for me to adjust to a totally German environment. I may speak the language fluently, but I nevertheless feel like a foreigner when in Germany and somehow out of place. I simply am an American and not a German and therefore consider America my true home.

When I joined the IMF in August 1962 my family comprised my wife, a son (born March 12, 1955), a daughter (born December 29, 1956), and a son (born June 22, 1961), all five of us native born New Zealanders.

My elder son, influenced to some extent by the expected future situation regarding his visa status and inability to work in the U.S., returned to New Zealand about seven years ago to pursue university studies and has remained there since. He married a fellow New Zealander early in 1978 and now resides in Auckland, New Zealand, where he is employed by the New Zealand subsidiary of a major international oil company. He and my daughter-in-law visited us here last year and without much hope explored the possibility of finding a legal way to stay and work. A neighbor, Mr. Clark Clifford, kindly made inquiries on their behalf and found that there was

no such possibility. Accordingly, they returned to New Zealand. My elder son still entertains some hope of rejoining the rest of his family here but his situation is no longer as serious as it once was.

My daughter, after graduating from high school in Montgomery County, attended a college in Florida and after completing an associate degreee she shortly thereafter met and married in late 1977 a native born American. A baby daughter was born in June 1981 and the family resides in Florida. My younger son, now aged 20, returned from boarding school in New Zealand where he was not too happy and spent his senior year at high school in Montgomery County. He is at present a student at Montgomery College and is now facing the same problem his elder brother had to confront. In his case, the problem is accentuated by the fact that except for four years at boarding school in New Zealand he has lived and been educated in the U.S. since he was 15 months old and regards Bethesda, Maryland as his home. He is well integrated in our local community with a number of friends dating back to his kindergarten days here.

Obviousiy, as time passes problems which arise have to be dealt with; our problems as regards G-IV visas have been dealt with by the dispersion of my family during years when I was not in a personal position to leave my employment with the IMF. The problem remains acute for my younger son who realizes that as soon as his education is completed he will have to seek his future in his country of birth.

I would add that this year I will reach the age of 55 and the possibility of early retirement allows my wife and I to contemplate having to re-establish ourselves in our country of birth in order to be close to our sons. We are resigned to the fact that, in a certain sense, we have "lost" our daughter.

In the case of my family, the problems have been not only the dispersion of the family and the relatively long periods which elapse between visits but also the knowledge that my children had relatively few options growing up in one country that, other than in very exceptional circumstances, they would have to leave in due course whether they wanted to or not. This has been a heavy and unantiicpated cost of international public service. If not so much for my own sake as for the sake of other, younger families confronting the same issues, I would, therefore, very much hope that S. 1998 would be enacted by the U.S. Congress.

Mr. P.: Worked for 2 years in the United Nations, Geneva, and the last 7 years in the World Bank, Washington, D.C. Present position: senior transport economist. Earlier the P. family lived in India. In addition to the two daughters whose case history is given below, Mr. and Mrs. P. have a son (3 years), born in U.S. and hence having right of citizenship in the U.S. The P. family owns a house in Springfield, Virginia, where they have lived for the last 6 years. Mr. P. has an indefinite tenure with the World Bank, which can extend tc another 18 years.

Sunithi P., daugher, 16 years in January 1982: Sunithi studied 2 years in India, 1 year in Geneva, and the last 7 years in U.S. public schools. She is in the 11th grade in West Springfield High School. She was member of the National Junior Honour Society in grades 9 and 10, and is member of the National Honour Society in the 11th grade. She has worked as a volunteer helper in the Fairfax Hospital for 3 months. She has learned English, French and is learning Latin. She can understand and speak Malayalam, her mother tongue, but cannot read or write it, while Hindi, the national language of India, is as yet a foreign language for her. Sunithi proposes to pursue university education in this country in computer sciences; partly such choice of specialization is guided by possibility of sponsorship for immigration, since this field appears to have shortage of personnel in the U.S.

Sunithi's problem is: what will be her future status in this country? She cannot work here, or live here after marriage. She can go back to India, but will have disadvantage in facing competition there because of her lack of knowledge of Indian languages. She also expects difficulty in social and economic adjustments. Uncertainty about her future is a major for her and for her parents.

Veena P. (daughter, 9 years): After age one, Veena spent all her eight years abroad: one year in Switerland and 7 years in U.S. She has virtually grown up in this country, studying here from nursery and pre-school, and is now in grade IV in the Cardinal Forest Elementary School in Springfield, Virginia. She has been scoring A-B grades in her subjects.

Veena has visited India for a total of only 5 months spread over the last 8 years. For 2 years she attended the India school in Washington every Sunday to learn Hindi. Due to practical difficulties this has been discontinued. She can now understand some spoken Malayalam, (her mother tongue), and speak a little of it but cannot read or write it. And she has practically no knowledge of Hindi, the national

language. There is not chance of her learning these in the near future. As she may stay in U.S. for, may be, 15 years with her parents, she may grow up not knowing any Indian languages.

Veena is growing up like an American child, knowing more about this country and its culture than those of India. It will be a personal tragedy if she has to leave this wonderful Country, where she has grown up, after a few years and be forced to adapt herself to conditions in India, which for her is essentially a foreign country.

The following case illustrates the difficulties facing foreign families residing in this country under the GIV visa status.

The case is that of a French expert who joined the World Bank in October 1970 with his wife and four children of respectively 18, 15, 12 and 5. After eleven years of continuous service in the World Bank and residence in the US, the staff member has recently decided to accept another position outside of the institution and plans to leave the country in the near future.

Out of his four children, the youngest (now 16) has had her entire schooling within American public or private schools and consequently is not totally Americanized. She plans to go to college and would like, afterwards, to stay and work in the US but, under the currently prevailing legislation, is prevented from doing so.

The other daughter (now 24) graduated from high school and then from college in Washington. She did not want to return to France where she does not have roots any more and decided to take a job in a technologically advanced sector to support herself, hoping that the then pending legislation would allow her to regularize her status shortly.

The second son (now 26) after graduating from high school in Washington and not wanting to go to college decided to go back to France to take a job, not being allowed to work here in spite of his desire to do so.

The eldest son (now 29), after graduating from college in 1977 is now a full time graduate student pursuing a doctoral degree in Maths with the help of a fellowship.

The desire of the two adult children now living in Washington is to be able to remain here after the departure of their parents and to be able to work legally. They have gained their high level skills in the US and are totally impregnated with the American culture. They are fully integrated in this community and a total change in their environment that would result from their having to leave the country would greatly disturb their beginning a active life, whereas in their own spheres they are considered by their US friends and colleagues as bringing a valuable contribution to society.

Clara A.: I was born in Bogotá, Colombia, South America the 17th of December 1961. Later brought to the United States the 6th of April 1971 with my family, because my dad was transferred here on a G-4 visa with the Organization of American States. We have lived in Virginia for almost 11 years and this country has become our country. We speak English better than our native language. Many problems arise after we graduate from high school. Not only because of the language but also the customs of our native country and the way of life. The education is different here than in any other country. Is hard for us to go back to a country where we were not raised and the whole system is different.

In my case, I started elementary school in September of 1971 at Blessed Sacrament School. In the middle of the year I was transfered to John Tyler Elementary School in Alexandria. I started junior high school Oliver Wendell Intermediate School, in 1974. Finally, I graduated from Thomas Jefferson High School, June 1980. I went back to Colombia, South America for college and it has been very hard for me academically. Not only because of the problems I stated above but also it has been difficult, the seperation from my family because of the great distance. Its also a task to get ahead in college when you have to study not only the courses required but also about the country and the language. This causes for me to always run behind everybody else.

Our situation is very uncomfortable because we have two countries and is like we don't belong to neither of them. If we had a choice we would rather stay in the country we were raised.

I hope you consider very carefully our small problems which become very big to our future and to us.

Thank you for your time and cooperation.

Claudia A.: I was born in Bogotá, Colombia, South America on the 8th of February 1966. I was brought to the United States on the 6th of April 1971 with my

family because my father was transferred here on a G–4 visa with the Organization of American States. We have lived in Virginia for almost 11 years and this country has become our own. We speak English better than our native language, Spanish. Many problems arise after we graduate from high school. Not only because of the language but also the customs and the way of life of our native country. The education is different here than in any other country. It is hard for us to go back to a country where we were not raised and the whole system is different.

I started elementary school in September of 1971 at John Tyler Elementary School in Alexandria. In 2nd grade I was transfered to Cork Kelly Elementary then in 3rd grade we moved to Annandale, Virginia and then went to Columbia Elementary. I started Junior High School in 1978 at Oliver Wendell Holmes Intermediate School and I finished Junior High School at Robert Frost Intermediate School. Finally I started High School at W.T. Woodson High School in 1980 and I am now in 10th grade.

In my case I plan to graduate in 1984 and study Medicine. With a G–4 visa I cannot do my residence here because I cannot work and get paid with that visa. My older sister went back to Colombia for College and that has showed me that it would be very difficult to study in Colombia.

Our situation is uncomfortable because we have two countries and it is like we do not belong to neither of them. If we had a choice we would rather stay in the country we were raised and where we were educated.

I hope you consider very carefully all of the above. Please help us with our small problems which become very big to our future and to us.

Thank you for your time and cooperation.

Because of not being a permanent resident, my oldest daughter has been unable to acquire a good job. Seeing her classmates with the same educational background working has thrown her into a bad state of depression, and my wife and myself can only stand by and patiently wait until God provides a solution, such as this initiative taken by the G–4 Coalition to obtain permanent residence.

I have a physically disabled son who is now 30 years old. He has had his physical rehabilitation here to the extent that he can now walk about in braces and crutches. He has completed his master's degree in business administration and is ready to make a career for himself. In the absence of permanent residence, he cannot get a job here. Going back to his home country will be extremely difficult for him. For one thing, there are no facilities in his home country for the repair and maintenance of his prostheses. For another, he will lack the facilities he has here to lead an independent life, such as driving his own car, as he does now, having an apartment modified to the needs of the disabled persons, etc. The third reason is that he has limited opportunities in his home country, and above all he will have to face a number of prejudices associated with handicapped people. He is depressed and frustrated that he cannot make a career for himself here, and I am most concerned about his mental health and emotional state. His application to the United Nations for a job, considering that this is the year of the disabled persons sponsored by the United Nations, has not had any results so far.

When I joined the World Bank, my wife (A. Solmaz C.), also a Turkish national, and two children (then at 8 and 9) accompanied me. My wife has confined her interests mainly to raising of her family and also to various charity activities (such as American Red Cross, YMCA, Turkish Women's Association, Religious Women's Association). Both of my children attended U.S. public schools in Washington D.C. (John Eaton primary, Alice Deal junior high, Wilson high). Both of them subsequently graduated from the Wharton School of Finance in Philadelphia (1968) and have obtained MBA degrees from the George Washington University in Washington D.C. (1972). My daughter, A. Mur C., has always had high grades (a cum laude from the Wharton School of Finance). After her MBA degree, she has completed the George Washington University course requirements for a PHD degree in economics. My son, Mehmet G. C., has also been a good student with a broad variety of interests: at the Alice Deal junior high, he was given in 1961 the "Annual Deal Science Fair Award", while at the Wilson high, he was chosen in 1963 (among many participants from some 850 high schools in the U.S.) for the first prize in "Junior Scholarship Creative Writing". In the following year, he was a finalist in a Washington area "Voice of Democracy oratory contest", which led to a TV appearance. For

1963-64, he was given a "Citation for the National Defence Cadet Decoration Award"; in 1964, he served as a captain in his high school's ROTC team.

With this educational background and orientation, a logical path for both of my children would have been to pursue their work careers in the U.S. This would also have kept our family unity. The existing G-4 visa rules have not allowed it, however. My daughter was fortunate to be able to join the International Monetary Fund in 1970 as a summer employee. Soon thereafter, she became a research assistant and, after some years, a professional economist with that international institution. She now has her own G-4 visa and, as before, we share the same household. My son, on the other hand, has had serious difficulty in extending his U.S. stay. After the MBA degree, he had joined the Merrill Lynch Corporation (New York and Washington) as a trainee/account executive (1972) and served until the fall of 1973 under the training provision of his student visa. Thereafter, he had to part with the rest of the family to go to Turkey and to pursue his career there. Obviously, for a boy who had come to the U.S. at the age of 8 and has had his education and training in th is country (nearly two decades), this has not been an easy and painless task. It can now be stated that, rather than education my children in the U.S., I could have left them in Turkey to attend schools there. However, such an alternative would have had its own (and I believe even more serious) drawbacks: a complete and open-end split in the family, lack of family care and guidance for the children, missing of an opportunity to offer to one's children and education superior to what is available at home, etc. My daughter, while so far spared from the hardships of separation from the family and a familiar work environment, still remains vulnerable: If she leaves the Fund's service, she has (under the existing immigration rules) to leave the U.S. within a month: The fact that she came to the U.S. when she was 9 years old, stayed here to date some 28 years does not make any difference.

G.: Graduating from community college (now)—master automotive technician, employed with approval from State Dept.; wishes to obtain resident status and live outside GIV visa household.

P.: Student (1984)—mainly educated in U.S.—uncertain of future employment as biochemist on graduation from university in two years time.

C.: Student (June 1982)—graduating from high school after completing all his schooling outside his country of birth; uncertain of future prospects for employment in USA even though he is totally "Americanized."

I came to Washington, D.C. to work for the World Bank at the end of 1968. At that time, I was employed as the General Manager of a Development Finance Company in Nairobi, Kenya and prior to that, I had lived and worked in West and Central Africa. My son Thomas was only eight years old when I came to America and Washington D.C. has been his home for the whole of his formative life. His early years in Africa are only a dim memory and he certainly has no prospect of returning to live and work in Africa. Nor would Thomas find it any easier to live and work in Britain, although both my wife and I are British subjects. He is now Sophomore at Washington and Lee University in Virginia and his background and outlook are, as one would imagine, purely American. I consider that he will be able to make a real contribution to the life of this country and I very much hope that the G-iv bill will be enacted so that he may become a Special Immigrant with the right to live and work in the United States.

In 1976, I was appointed to the IMF and settled in Washington with my wife (both Dutch-speaking Belgians), my son (aged 10) and daughter (aged 8). Three years later, when the children were in high school, my wife and myself discussed their future and were faced with a dilemma. Under our G-IV visa they are allowed to study here in the US, but after their education they will not be allowed to work. After that many years in this country they would be considering the US as their home country and become foreigners to their own country, not even capable of speaking their original language adequately and unable to get employment there. Thus the prospects were that, after having received an American education and having learned to feel like Americans and love this country, they would in a sense be kicked out once they were ready to work for their living in this country.

Under these circumstances, in an attempt to save them from these problems and after having kept them here for one more year, my wife and myself after long reflection and deliberation took the hard decision to send both children, then aged 14

and 12, to their home country. Since then my wife has been traveling back and forth as much as possible between the US and Belgium. On balance, however, we are living like a broken family, which is bad for all of us. It is a painful situation, but under the present immigration law applicable to G-IV visa holders, there is not much choice left.

Daughter Clare, now aged 20, came to U.S. aged one and a half years (originally under my resident alien status—which I was obliged to drop when joining the Bank Africa in 1972. Graduating in June 1982, she faces the prospect of unemployment. Clearly, with US qualifications and an acculturation wholly American, she would find it well nigh impossible to obtain employment in UK given the continuing high unemployment there—even should she wish to do so. I was not told that my children (or my former wife) could retain their resident alien status.

Bank member: Mr. S., joined Bank February 4, 1963 Died 1981; member's wife: Mrs. S., entered USA February 4, 1963; member's daughters: J., entered USA February 4, 1963 (not affected); S. (now aged 22), entered USA February 4, 1963; H. (now aged 19), entered USA February 4, 1963; and L. (now aged 16), born March 12, 1965—U.S. citizen—permanently domiciled in Washington, D.C. except for home leaves (no missions).

Since Mr. S. had worked on the G-4 Coalition, I had heard many "horror stories" concerning widows and children beyond age of dependence. When the news came in January 1981 that Mr. S. had died suddenly, one of my first concerns was our future. I had to tell the Bank almost immediately whether we wished to stay on here or return to Great Britain—an easy decision for me because L., my U.S. daughter, still had 2 years of High School to complete anyway.

Ms. X. is an excellent lawyer who specializes in visa problems and assures me that because of L. there is no doubt that my "Application for Suspension of Deportation" will be eventually granted. It may not be as simple for S. (22 years).

Ms. X. is concerned that our home leaves may affect the clause "I have been physically present in the US without any absence since (February 1963)"—also S. spent October 1976-July 1977 attending University in England. Another factor not in our favor is that England is an easy, comfortable country to return to "without fear of persecution."

Incidentally, the amount of work involved in filing these applications (one each for me, S. and H.) is quite appalling. I have been researching old files trying to prove our continous physical presence and amassing boxes of school records, dental records, cancelled checks, leases, Bank-Fund Credit Union quarterly statements, current and cancelled passports, utility bills, property deeds and titles for the last 7-10 years. I have approached suitable acquaintances for personal references; we have yet to have passport-type photos taken and to go downtown for a $5 Police Department certificate each.

Mrs. H was married for 37 years, and resided in Virginia for 22 years—before then about 2 or 3 years in New York when her husband was working for the United Nations. Mrs. H. has two daughters—S. lives in England, and J. lives in New Jersey with her American husband and one child. J. is in the process of applying for American Citizenship.

Mrs. H. was very active in 'Wives' from its beginning. She has organized the Virginia Wives Luncheons for the past 8 years—has welcomed newcomers and organized monthly cooking classes. Mrs. H. and her husband had planned to retire in this country, applying for citizenship nearer to his retirement.

When husband died, Mrs. H. was assured, unofficially, that she would have at least six months to settle affairs etc. Within 6-7 weeks her G-IV visa had been withdrawn and she was obliged to return to England, with absolutely no guarantee that she would be allowed to return, leaving behind her home, her family, her belongings and many long standing friends.

Mrs. H. will now be receiving two pensions, one from the British Government and one from the World Bank—so financially she is secure and would be well able to keep herself in this country.

Mr. T.: United Kingdom National by birth, Economist. Left United Kingdom 1948 for service in Central Africa. Economic Advisor to Prime Minister of Federation of Rhodesia and Nyasaland 1953-60. Joined Bank May 1960—Bank seeking services of professionals with Africa experience.

Children born in Africa: youngest (C.) months before coming to Washington. C. (now 21 and still a student) brought up with children of American neighbors in Forest Hills in house we lived in and owned from December 1960. Has attended successively Murch and National Cathedral School in D.C. before becoming a student in United Kingdom. Being brought up from a few months old in United States and entirely in one part of D.C. has her background here and naturally counts to live here.

Having lived outside United Kingdom from 1948 and in United States since 1960 we have come to regard the United States as our home.

Since retiring from Bank in middle of 1979 I have been working from time to time as Bank consultant. We still have property here and have been looking at property in Florida and would like to settle down.

With Bank pension and property here would not be a charge on the state and my wife and I applied for immigrant status before I retired from the Bank. I have been informed that all the necessary investigations were completed but, with no relatives in the United States, we were put in the N. P. category, which is inactive, and there is little chance of an immigrant visa being granted in the near future. We were notified that our base date for the N. P. list was in February 1979.

Mr. X, a United Kingdom national born in 1918, joined the Bank in 1956 at the age of 37. He is due to retire in 1983 at the age of 65 when he will have completed nearly 28 years of continuous service with the Bank in Washington. A bachelor when he came to Washington, Mr. X married a national of Argentina in 1965. They have one son, born in Washington in 1966, who has lived all his life in the United States, is a United States citizen and has just completed his first year of high school in the Washington area. When Mr. X retires, his son will be 17 years old and still in high school.

Mr. X has no close relatives in the United Kingdom; he was an only child and his parents are both dead. Since joining the Bank in 1956 he has never spent more than 4 weeks consecutively in the United Kingdom (or more than 6 weeks in any one year); he has no home there, and neither his wife nor his child has ever lived there.

Mr. X owns a house in Washington in which the family have lived since 1966. He pays property tax on this house and U.S. and District income tax on interest and dividends earned on accumulated savings. When he retires, he will receive a pension from the Bank in excess of $40,000 a year and will thus be fully able to support himself and his family. His son is financially dependent on him and will remain so until he has completed his education. If Mr. X were not to be allowed to remain in the United States after retirement, his son, although a U.S. citizen, would in effect be expelled from the country since he would have nowhere to live and no other relatives to look after him.

Back in 1953, when I came to the United States as a regular immigrant, I did it knowing that I was going to stay for good and be happy, even though I did not know anybody here. Through my readings I had learned enough about the country, and the fact that I severed my connections in Argentina shows that I was firmly decided to stay here permanently.

With mixed feelings I resigned to my job with the Standard Oil (I enjoyed it very much and I still keep in touch with many of my superiors and co-workers), but the Company wanted me to stay with them and offered me a job in New York which I turned down because I had been correspoinding with a counselor at UCLA and I was planning to go there to pursue my studies in child psychology. When I arrived here I was late for that semester and decided to stay for a while in Washington, got a temporary job at the OAS (then Pan American Union), and somehow got sidetracked and as I loved the type of work I was doing when I was asked to take a permanent job, I accepted.

Even though the OAS gave me a free trip to Argentina every two years, I have not taken it since 1973. Instead, I used my vacations to explore several areas of the country to decide on which to retire and I picked California—good weather, artistic and intellectual activities, facilities for older people in all Colleges and Universities. But even in those days when I took advantage of the trip to Argentina, I managed to use my vacation time wisely, traveling around the US, stopping here and there, to know better "my new country" and learn more about its history and its people.

Unfortunately my job has been very demanding and I had to study very hard to make a career at the OAS, so I never had much time for extracurricular activities and could not get involved in community affairs as I had done before; I even ne-

glected my music and painting, which I love. But if I can materialize my dream I will do all that in California, where I have already made inquiries and there are several agencies that would welcome me as a volunteer to help with the Spanish-speaking population. I enjoy working with people and I know I can do a good job, as I did for the Argentinian Red Cross, where I served as a medical secretary, assistant nurse, and kindergarten teacher. I also taught evening classes for workers, giving instruction in language, nutrition, and arts and crafts, and I know I can do all that again and do it well.

Contrary to the usual behaviour of most immigrants, I did not mix with the Argentinian community here; I considered the U.S. my new country and my acculturation came first. So, being forced to go back now and leave behind all my ties, dreams and beliefs would be very, very hard. I have heard many arguments in favor of the children of the G-IVs pointing out their difficult situation, but we older people also suffer a great trauma, at least the ones like me who fell in love with this country, and it is harder for us, because even if we are optimistic we realize we cannot start all over again: we do not have much time left.

My wife, Eleonore K. (born 1928), and I, Helmut K. (born 1919) arrived with our two children in the United States in June of 1964. Both of us were born and raised in Germany. As in our two previous engagements abroad we expected to stay for approximately five years. To facilitate their reintegration into the German school system, we sent our two sons to the German School, Washington, D.C. In addition, the entire family spent every summer during the first four years and since 1968 every second summer in Germany in order to sustain our ties with our home country.

Due to our almost 18 years of residence, in the house we bought in 1964, we have also developed strong roots in this country. We enjoy an excellent relationship with our neighbors, many of whom have lived in our neighborhood for more than 10 years. We have established friendships, which we hope will last for a long time to come, not only with many fellow employees in the World Bank but, in particular, with several members of our community. My wife actively participates in our neighborhood citizens' patrol and in a German Study Group consisting of American ladies who are mostly wives of employees or previous employees of the American Foreign Service. I, myself, have served first as a member and since more than two years as Vice-President of the Council to the German Lutheran Church, Washington, Maryland Synod LCA. In my professional work I have now held for four years the position of Construction Industry Adviser, which is the top professional position for the development of the domestic construction industries of Third World countries in the World Bank. In this context I have established extensive professional contacts in the construction industry world and had the chance, for example, to give a special presentation to the 1981 convention, of The American Society of Civil Engineers.

Our financial situation would enable us to support ourselves and, if necessary, our sons adequately on the basis of my salary or, in two years, of my flexible pension from the World Bank and the inflation-adjusted monthly payments from the German Employees Insurance, our real estate holdings in Germany, and our U.S. real estate and bonds, which we acquired with funds transferred from Germany since 1964.

Finally, I wish to state that my wife and I are still very proud of our German heritage and we hope that our sons will maintain an appreciation for the country of their forefathers. However, because of our son's firm commitment to stay in this country, we too hope to be able to maintain a residency in the United States.

I joined the World Bank staff in June 1954, at which time I acquired a G-IV visa. I have lived in Washington ever since that time, going to my native England on home leave during this period. I retired in July 1980.

As you can imagine, having lived here for many years I have made many friends and feel very much at home in this country, and would very much like to continue to live here. It would, in fact, for personal reasons, be a hardsip for me now to have to leave and return to England to live. I do, of course, enjoy visiting my home country from time to time, something I cannot do at present, lacking the proper visa.

I would also very much like to become an American Citizen as I have come to love this country and its people. This I cannot do without first acquiring an immigrant visa. There is, I understand, also, a wait of another five years before I would be able

to apply for American citizenship, having lived here during my stay with the World Bank under the umbrella of a G-IV visa.

C.: I am a single person. I have spent the greater part of my life in the United States—34 years—and I have long considered this my "home." My links with my home country have become more tenuous over the past years, especially since both my parents and my only sibling are now deceased.

B.: Having served the United Nations for the past 26 years, over 18 of which have been spent in New York, it would be most distressing for me (as a single person) to have to return to my home country and start life afresh. I have no property there. My capital is maintained entirely in the United States. I now regard New York as my home and have developed a great affection for the American people and the American way of life. All my friends are here. By virtue of my absence for so long from my home country, I have very few contacts except for a very small family. It would, indeed, be a traumatic experience for met to leave this country and find a place to live in my home country, particularly at my age.

As a Turkish national, I joined the World Bank in February 1954 and served 26 years in various capacities until retirement in November 1980. At the time of my joining, I was 36 years old, with nearly 14 years of service with the Turkish Ministry of Finance in Ankara. My last job with the Ministry was as Assistant Director-General of the Treasury. At the World Bank, I occupied loan officer, economist, and division chief positions in various Area/Program departments, and assistant-to-director/deputy director positions in various Program and Projects departments. My home, which I own, is in Bethesda, MD; practially all of our family savings are in the U.S. after the retirement, I continued serving the World Bank as a part time consultant. Since 1954, I hold a G-4 visa which is subject to renewal every year. My application to the U.S. authorities in 1978 for a resident visa has not been fruitful.

Now that I am retired after some 40 years of public service in Turkey and the U.S. and am able to maintain my modest standard of living without having to work for it, I find myself in a dilemma: should I cease to be a consultant to the World Bank, my wife and I would have to close our home here and leave the U.S. within a month, to part from our daughter and friends. After 28 years of absence, establishing a new home and cultivating of new friendships in Turkey would be very difficult. Furthermore, residents are allowed to visit abroad once every three years—a factor which would hamper us from seeing our daughter. In our fairly advanced ages, my wife and I naturally prefer to spend our remaining years together with our daughter and close to our friends.

After a legal separation in 1973 from my Italian husband, employed by the IBRD since 1969, I tried separately for two years to find a full-time job and a visa in my own right. My training as a linguist was not at all easy to market in the Washington area where a "native speaker" always seems to be preferred in any language. I was limited to take part-time jobs as a language instructor and free-lance translator. Any hopeful American employer, however enthusiastic about my qualifications, was immediately discouraged when the question of my visa was raised.

My husband was all the time pressing for a divorce, but my contacts at the Department of Immigration as well as the Swedish Embassy warned me repeatedly not to obtain a divorce until my visa situation was regularized. Otherwise, I would even run the risk of being deported. My situation was further complicated by the fact that my two children, Italian citizens who do not speak any Swedish at all, cannot obtain a Swedish citizenship until after seven years of residcence in my country. Consequently, we were "stranded" in Washington for some years ahead.

Finally, in 1975 the IMF employed me in a low-level, clerical position and my visa problem was thus solved.

Prepared Statement of Hon. Richard D. Erb

Mr. Chairman, I appreciate this opportunity to submit for the record background which may be helpful when the Committee considers the proposed legislation "International Organizations Staffs' Children, Survivors. and Retirees Act of 1981," (S. 1998). I am not an expert on immigration policy per se and defer to the representatives of the State Department and INS on the immigration policy issues involved in the proposed legislation. However, I would like to take a few minutes to provide the Subcommittee some background on the impact of current U.S. immigration laws on the employees and employment practices of the Washington based international financial institutions (IFIs). These institutions include the International Monetary Fund, the World Bank, and the Inter-American Development Bank.

Although the proposed legislation covers a number of international organizations, it is of special significance to the three institutions I cited above. The reason for this can be found in the staffing patterns and employment policies of the IFIs. I will shortly discuss these unique employment characteristics, but first I would like to briefly describe the primary functions of these institutions and the U.S. interests they serve.

Formed at the end of World War II, they are technical financial institutions established to promote economic growth and a stable and open international monetary system. The United States played a key role in the formation of these institutions and successive administrations strongly supported them. At last year's annual meeting of the IMF and World Bank, President Reagan and Secretary Regan reaffirmed that support. At the same time, the Administration has been working within the institutions to reemphasize policies designed to promote growth, price stability, economic efficiency, and more open international markets.

The International Monetary Fund, with 143 member countries, performs a number of functions as the world's central official monetary institutions. The IMF provides a forum and legal framework for governments to consult and cooperate on the structure and functioning of the international monetary system. The Fund also provides a forum and framework for monitoring, under its surveillance responsibilities, the exchange arrangements and policies of member governments. The IMF is also charged with reviewing the adequacy of international liquidity and supplementing reserves when necessary by the allocation of Special Drawing Rights (SDRs). Finally, the IMF provides technical assistance and temporary balance of payments financing to members conditioned on implementation of economic policy measures to correct their balance of payments problems.

The World Bank is an official development finance institution which lends over $13 billion a year. It also has over 140 member countries. The Inter-American Development (IDB) performs a similar role in Latin America, lending approximately $2.3 billion per year. Forty-two countries are members of this organization, including all the regional countries and the major developed countries (except Cuba).

Each of these institutions performs its functions under the policy direction of an Executive Board consisting of representatives of member countries. Executive Board decisions are based on weighted votes, with the United States holding the largest share of votes in each institution. The staffs of

these institutions must then execute those policies, and their job is not easy. For example, as a condition for temporary access to IMF financial resources, the Executive Board requires borrowing countries to adopt policies that will eliminate their external payments imbalances. Not only is it the responsibility of the Fund staff to work with member governments to make the technical determination of what policies are necessary to promote balance of payments adjustment, but it is also the responsibility of the staff to persuade a government to adopt and implement those policy adjustments. Thus, staff members must not only possess technical skills but also diplomatic talent. Given the range of functions performed by the IMF, I could easily provide other examples of the demands made of this staff.

Although the IFIs are engaged in a wide range of activities, the size of the staffs are relatively small. The IMF has a staff of around 1,500 with about 1,100 of whom are drawn from about 120 different countries other than the U.S. The World Bank and the IDB have staff of over 5,500 and 1,500 respectively, of which the non-American components account for about 4,000 and 1,300 respectively.

Given my experience as an Executive Director in the Fund, I can personally confirm that successful execution of policies of the Executive Boards requires a highly professional staff drawn from a broad spectrum of countries and responsible to their respective institutions and not their countries of origin. These characteristics are so fundamental to the performance of the institutions that they are specifically cited in the charters of each institution. As set down in the Articles of Agreement of the IMF, for example, members of the Fund staff "shall owe their duty entirely to the Fund and to no other authorities. Each member of the Fund shall respect the international character of this duty and shall refrain from all attempts to influence any of the staff in the discharge of their functions." With respect to hiring practices, the IMF Articles of Agreement specifies that when appointing members of the staff, the management "shall, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, pay due regard to the importance of recruiting personnal on as wide a geographical basis as possible."

Given the importance of technical competence and allegiance to the institution, the international financial institutions prefer to follow a long-term career policy by recruiting individuals in the early stage of their professional careers and then promoting from within. As a consequence, many staff members spend twenty or more years of their working lives in the United States. Thus, it should not be surprising that many staff members and their immediate families develop extensive roots here. As a consequence, some staff members and their immediate families seek to be admitted as permanent immigrants.

Until recently, U.S. immigration laws provided such individuals the opportunity to obtain a permanent resident visa status. Changes in U.S. immigration laws during the last few years, however, have had the effect of closing off or limiting such opportunities. As a consequence many families are being hurt.

Under present law, employees of international organizations and certain members of their immediate families with G-IV visas, are generally prevented from remaining in the United States once the principal holder no longer qualifies for the G-IV category--either through retirement or death. In the latter instance, the impact on a surviving spouse and children of an enforced return to their country after a lengthy residence is, to say the least, wrenching.

In other circumstances, children often experience particularly harsh problems resulting from their lost G-IV status and their present inability in general to qualify independently for permanent status. After significant residence and educational training in the United States, many encounter difficulty in adjusting to life in their home country and find themselves at a disadvantage when seeking employment there. The present law also can cause a separation between those children born in the United States and those born abroad. Finally, even when a retiring non-U.S. staff member of an international organization, after having served many years in the United States, wishes to remain in this country, the present restrictions in the immigration laws generally preclude continued residency here.

Not only are individuals being affected, but also the IFIs. The latter now find that increasing numbers of their expatriate staff are being forced early on to choose between continuing their careers here or returning home to avoid an undesired break-up in their families or dislocation problems at the end of their careers. As a result, the institutions may lose some of the continuity and institutional experience that any organization enjoys when many employees concentrate their careers in the institution.

In sum, rigidities in our current immigration laws not only cause individual staff members and their families hardship, but also weaken the traditional employment policies and practices of the Washington based international financial institutions. When considering the proposed legislation S.1998, I hope that the Committee will take into account the contributions that these institutions make to U.S. interests and the detrimental impact of our current immigration laws on their employment practices.

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